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concerned University and verification of her character and antecedents
from CID. Her name has been entered under Serial No. JK-387/2020
in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be
sought before the date of expiry unless the absolute/final enrollment as
an Advocate is ordered therebefore.

Notification

No. 452 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020
Ms. Khalida Ashraf D/o Mohd Ashraf Malla R/o Wahidpora, Tehsil Lar,
District Ganderbal has been admitted and enrolled as an Advocate on
the Rolls of Jammu and Kashmir Bar Council provisionally for a period
of one year from the date of issuance of this notification, subject to
the verification of her Provisional/LL.B Degree Certificate from the
concerned University and verification of her character and antecedents
from CID. Her name has been entered under Serial No. JK-388/2020
in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be
sought before the date of expiry unless the absolute/final enrollment as
an Advocate is ordered therebefore.

Notification

No. 453 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020
Ms. Lubna Hamid D/o Ab. Hamid Zarger R/o Deva Colony,
Janglatmandi, Anantnag has been admitted and enrolled as an Advocate
on the Rolls of Jammu and Kashmir Bar Council provisionally for a
period of one year from the date of issuance of this notification, subject
to the verification of her Provisional/LL.B Degree Certificate from the
concerned University and verification of her character and antecedents
from CID. Her name has been entered under Serial No. JK-389/2020
in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

Notification

It is hereby notified that vide High Court Order dated 25-11-2020 Mr. Mudaser Ahmad Shah S/o Qawamud Din Shah R/o Bungam Rahmoo, Pulwama has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-390/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

Notification

It is hereby notified that vide High Court Order dated 25-11-2020 Ms. Muslima Yousuf D/o Late Mohd Yousuf R/o Hamdania Colony, Bemina, Budgam A/P Umer Colony, Bemina Near BSNL Exchange, Srinagar has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B Degree Certificate from the concerned University and verification of her character and antecedents from CID. Her name has been entered under Serial No. JK-391/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

Notification

It is hereby notified that vide High Court Order dated 25-11-2020 Mr. Mohd Haris Sofi S/o Mushtaq Ahmed Sofi R/o Baghat Barzulla, Srinagar has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-392/2020 in the Roll of Advocates maintained by this Registry.

Notification

It is hereby notified that vide High Court Order dated 25-11-2020 Ms. Minsha Latief D/o Mohd Latief Dar R/o 90 Feet Road, Iqbal Colony, Lane 3, Soura, Srinagar has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B Degree Certificate from the concerned University and verification of her character and antecedents from CID. Her name has been entered under Serial No. JK-393/2020 in the Roll of Advocates maintained by this Registry.

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THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

Vol. 133] Jammu, Thu., the 11th March, 2020/20th Phal., 1942. [No. 50

Separate paging is given to this part in order that it may be filed as a separate compilation

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—REVENUE DEPARTMENT.

Notification No. 179-Rev (LAJ) of 2020

Dated 22-06-2020.

Whereas, the land, specifications whereof are given in Annexure "A" to this notification is required for construction of road from Shiva to Sindra PWD road situated in Village Shiva, Tehsil and District Doda ;

Whereas, on the basis of an indent placed by Executive Engineer, PW (R&B), Division Doda, a notification under section 4 (1) was issued by Collector, Land Acquisition (ACR), Doda vide letter No.163-69/ Acq dated 02-05-2012 for land measuring 24 Kanals, 11½ Marlas, situated at Village Shiva, Tehsil and District Doda for construction of road from Shiva to Sindra PWD road ;

Whereas, the Collector, Land Acquisition (ACR), Doda vide No. 1227-32 dated 10-10-2019 has reported that the notification issued under section 4(1) of the J&K State Land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons within the prescribed period as required under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition (ACR), Doda vide letter referred to above duly endorsed by District Collector, Land Acquisition (DC), Doda vide letter No. 440/LAC/D/19 dated 15-10-2019, Divisional Commissioner, Jammu vide No. 502/3832/PWD/Shiva/19/Doda/2623 dated 29-10-2019 and Financial Commissioner, Revenue, J&K Jammu vide No. FC-LS/LA-5161/2020 dated 15-05-2020 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for construction of road from Shiva to Sindra PWD road.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that the land measuring 24 Kanals, 11½ Marlas, situated at Village Shiva, Tehsil and District Doda for construction of road from Shiva to Sindra PWD road. Further, the Collector, Land Acquisition (ACR), Doda is directed under section 7 of the said Act to take orders for acquisition of the said land after giving prescribed notice to the interested person (s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of lands involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants, in accordance with the relevant laws/rules in force, while making the award.

(Sd.) DR. PAWAN KOTWAL, IAS,

Principal Secretary to Government,
Revenue Department.

<i>Annexure 'A'</i>				
District	Tehsil	Village	Kh. Nos.	Area
				K. M.
Doda	Doda	Shiva	477 min	01-00
			477 min	00-9½
			481 min	02-05
			481 min	01-09
			481 min	00-15
			481 min	01-02
			482 min	01-03
			483 min	01-07
			483 min	01-05
			483 min	01-01
			484 min	01-18
			761 min	03-00
			837 min	01-01
			837 min	02-04
			843 min	02-11
			844 min	02-01
			Total	24-11½

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—REVENUE DEPARTMENT.

Notification No. 221-Rev (LAJ) of 2020

Dated 26-06-2020.

Whereas, the land, specifications whereof are given below to this notification is to be acquired for public purpose namely acquisition of additional land for muck dumping yard at Village Khanikote (Adit T-13) 5.82 HA approx. Tehsil Arnas, District Reasi ;

Particulars of land				
District	Tehsil	Village	Kh. Nos.	Area
Reasi	Arnas	Khanikote	92	K. M. 08–18
			313/246/ 232/123	173–14
			Total	182–12

Whereas, on the basis of an indent placed by Deputy Chief Engineer, Construction Northern Railway, Reasi, a notification under section 4(1) was issued by Collector, Land Acquisition (ADC), Reasi, vide letter No. CLA/NR/ADC/Rsi/19-20/238-244 dated 02-10-2019 for land measuring 182 Kanals, 12 Marlas situated in Village Khanikote, Tehsil Arnas, District Reasi for acquisition of additional land for muck dumping yard at Village Khanikote (Adit T-13) 5.82 HA approx. ;

Whereas, the Collector, Land Acquisition (ADC), Reasi, vide letter No. CLA/NR/ADC/RSI/19-20/872 dated 22-10-2019 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act by him was served upon the interested persons for filing objection, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons within the prescribed period as required under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition (ADC), Reasi vide letter referred to above duly endorsed by District Collector, Land Acquisition (DC), Reasi vide No. DC/Rsi/19-20/1560-65/SQ/SQ dated 04-11-2019 duly endorsed by Divisional Commissioner, Jammu vide

No. 502/4030/muck dumping yards/Reasi/19/3065 dated 21-12-2019 and Financial Commissioner, Revenue, J&K Jammu vide No. FC-LS/LA-5169/2020 dated 01-06-2020 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for acquisition of additional land for muck dumping yard at Village Khanikote (Adit T-13) 5.82 HA approx.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that the land measuring 182 Kanals, 12 Marlas situated in Village Khanikote, Tehsil Arnas, District Reasi for the land to be acquired namely acquisition of additional land for muck dumping yard at Village Khanikote (Adit T-13) 5.82 HA approx. Further, the Collector, Land Acquisition (ADC), Reasi is directed under section 7 of the said Act to take orders for acquisition of the said land after giving prescribed notice to the interested person(s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of lands involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants, in accordance with the relevant laws/rules in force, while making the award.

(Sd.) DR. PAWAN KOTWAL, IAS,

Principal Secretary to Government,
Revenue Department.

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—REVENUE DEPARTMENT.

Subject :—Acquisition of land measuring 71 Kanals 01 Marla of Village Sawlakote, Tehsil Arnas, District Reasi for muck dumping yard alongside approach road T-14, P-1 to adit T-14 Northern Railway Project.

Reference :—(i) 502/Railways/Gen/20/6100 dated 07-11-2020 from Divisional Commissioner, Jammu.

- (ii) DC/Rsi/20-21/1175-77/SQ dated 07-11-2020 read with DC/Rsi/20-21/1421-24/SQ dated 16-12-2020 from Deputy Commissioner, Reasi.
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Government Order No. 05-JK (Rev) of 2021

Dated 14-01-2021.

In exercise of the powers conferred under section 9 read with section 40 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, the Government hereby exempts undertaking of Social Impact Assessment Study for acquisition of land measuring 71 Kanals 01 Marla of Village Sawalakote, Tehsil Arnas, District Reasi for muck dumping yards alongside approach road T-14, P-1 to adit T-14 Northern Railway Project, related to Defence of India and national security.

The Collector, Land Acquisition shall carry the further acquisitions proceeding as per the provisions of the said Act, and rules made thereunder.

By order of the Government Jammu and Kashmir.

(Sd.) SHALEEN KABRA, IAS,

Principal Secretary to the Government.

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—REVENUE DEPARTMENT.

Notification No. 187-Rev (LAJ) of 2020

Dated 22-06-2020.

Whereas, the land, specifications whereof are given in Annexure "A" to this notification is required for construction of 200 M Span Single Lane Steel Motorable Suspension Bridge over River Chenab at Marsoo incl-Approach road on left/right side Tehsil Assar, District Doda ;

Whereas, on the basis of an indent placed by the Chief Engineer, PWD (R&B) Dapartment, Jammu a notification under section 4 (1) was issued by the Collector, Land Acquisition (SDM), Assar, vide letter No. SDM/A/LAC/2019/44-51 dated 05-10-2019, For land measuring 65 Kanals, 12 Marlas situated at Marsoo, Tehsil Assar, District Doda ;

Whereas, the Collector, Land Acquisition (SDM), Assar, vide letter No. SDM/A/LAC/2019/70-75 dated 21-10-2019, has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the proposed acquisition, but, no objection was received from the land owners/interested persons within the prescribed period as required under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition (SDM), Assar vide letter referred to above duly endorsed by District Collector, Land Acquisition (DC), Doda vide No. 538/LAC/D/19 dated 28-10-2019 duly endorsed by Divisional Commissioner, Jammu vide No. 502/3939/PWD/Marsoo/Doda/19/2697 dated 31-10-2019 and endorsed by the Financial Commissioner, Revenue, J&K Jammu vide No. FC-LS/LA-5179/2020 dated 19-3-2020 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for construction of 200 M Span Single Lane Steel Motorable Suspension Bridge over River Chenab at Marsoo Incl-Approach road on left/right side, Tehsil Assar, District Doda.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that the land measuring 65 Kanals, 12 Marlas, situated at Marsoo Incl-Approach road left/right side Tehsil Assar, District Doda, for construction of 200 M Span Single Lane Steel Motorable Suspension Bridge over River Chenab at Marsoo Incl-Approach road on left/right sides Tehsil Assar, District Doda. Further, the Collector, Land Acquisition (SDM), Assar, is directed under section 7 of the said Act to take orders for acquisition of the said land after giving prescribed notice to the interested person (s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible for indentification and proper title verification of all types of lands involved in the case for making apportionment of compensation amongst

all the interested persons/rightful claimants, in accordance with the relevant law/rules in force, while making the award.

(Sd.) DR. PAWAN KOTWAL, IAS,
Principal Secretary to Government,
Revenue Department.

Annexure-A

Particulars of land

District	Tehsil	Village	Kh. Nos.	Area
1	2	3	4	5
Doda	Assar	Marsoo	191	K. M. 08-06
			120	01-11
			119	00-09
			119	00-07
			122	00-04
			123	00-01
			118	00-01
			118	00-09
			118	00-14
			123	00-08
			123	00-12
			123	00-09
			123	01-14
			124	01-01
			124	02-06
			191	00-08
			134	00-04

1	2	3	4	5
				K. M.
			190	01-14
			189	00-05
			189	00-05
			188	01-12
			148	00-12
			150	01-00
			150	00-18
			151	00-07
			212	00-11
			230	01-00
			229	00-19
			229	00-07
			227	00-16
			226	02-08
			224	00-18
			224	00-17
			224	02-11
			223	00-11
			225	01-11
			226	01-16
			248	01-14
			229	00-03
			229	00-18
			230	01-10
			231	01-00
			236	00-04

1	2	3	4	5
				K. M.
			248	01-18
			247	18-03
			Total	65-12

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—REVENUE DEPARTMENT.

Notification No. 213-Rev (LAJ) of 2020

Dated 24-06-2020.

Whereas, the land, specifications whereof are given in Annexure "A" to this notification is required for construction of PWD road from Gulmana Parsholla to Bridge at Shiva Dal situated in Village Parsholla, Tehsil Mohalla, District Doda ;

Whereas, on the basis of an indent placed by Executive Engineer, PWD (R&B), Division Doda, a notification under section 4(1) was issued by Collector, Land Acquisition (ACR), Doda, vide letter No. 67-73/Acq dated 18-04-2016 for land measuring 19 Kanals, 10 Marlas in Village Parsholla, Tehsil Mohalla, District Doda for construction of PWD road from Gulmana Parsholla to Bridge at Sheva Dal ;

Whereas, the Collector, Land Acquisition (ACR), Doda vide letter No. 1263-68/Acq dated 10-10-2019 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/ interested persons within the prescribed period as required under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition (ACR), Doda vide letter referred to above duly endorsed by District Collector, Land Acquisition (DC), Doda vide No. 435/LAC/D/19 dated 15-10-2019,

Divisional Commissioner, Jammu vide No. 502/3837/PWD/Parsholla/D/19/2661 dated 30-10-2019 and Financial Commissioner, Revenue, J&K Jammu vide No. FC-LS/LA-5161/2020 dated 15-05-2020 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ;

Whereas, the Government is satisfied that the land particulars whereof are given above is required public purpose viz. for construction of PWD Road from Gulman, Parsholla to Bridge at Shiva Dal.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that the land measuring 19 Kanals, 10 Marlas in Village Parsholla, Tehsil Mohalla, District Doda for constriction of PWD road from Gulmana Parsholla to bridge at Sheva Dal. Further, the Collector, Land Acquisition (ACR), Doda is directed under section 7 of the said Act to take orders for acquisition of the said land after giving prescribed notice to the interested person (s) as required under the Land Act/Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of lands involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants, in accordance with the relevant laws/ rules in force, while making the award.

(Sd.) DR. PAWAN KOTWAL, IAS,
Principal Secretary to Government,
Revenue Department.

Annexure-A

District	Tehsil	Village	Kh. Nos.	Area
1	2	3	4	5
Doda	Mohalla	Parsholla	548 min	K. M. 00-18
			548 min	00-04

1	2	3	4	5
				K. M.
			548 min	00-03
			548 min	00-05
			548 min	00-11
			548 min	00-11
			548 min	00-16
			513	00-09
			514	01-17
			548 min	00-04
			515	00-17
			548 min	00-08
			525	01-00
			548	00-10
			526	01-19
			548 min	00-11
			548 min	00-07
		1171/532		01-05
			548 min	00-08
		1172/532		01-09
			548 min	00-13
			548 min	01-07
			548 min	02-13
			548 min	00-05
			Total	19-10

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—REVENUE DEPARTMENT.

Notification No. 96-Rev (LAJ) of 2020

Dated 05-06-2020.

Whereas, the land, specifications whereof are given in Annexure- "A" to this notification is required for construction of Gulpur—Chachi road by GREF situated at Village Gulpur, Tehsil Haveli, District Poonch ;

Whereas, on the basis of an indent placed by Officer Comander, Hq. 31 BRTF (GREF), a notification under sanction 4 (1) was issued by Collector, Land Acquisition (Defence), Rajouri, vide letter No. Coll/Def/814-18 dated 17-11-99 and read with corrigendum vide letter No. Coll/Def/2019-20/311-15 dated 04-07-2019 for land measuring 41 Kanals 16 Marlas in Village Gulpur, Tehsil Haveli, District Poonch for construction of Gulpur-Chachi road by GREF ;

Whereas, the District Collector, Land Acquisition (DC), Poonch vide above letter dated Coll/Def/2019-20/874 dated 16-10-2019 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons within the prescribed period as required under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by District Collector, Land Acquisition (DC), Poonch vide letter referred to above duly endorsed by Divisional Commissioner, Jammu vide No. 502/3797/Acq/GREF/Gulpur/Poonch/2019/2572 dated 22-10-2019 and Financial Commissioner, Revenue, J&K Jammu vide No. FC-LS/LA-5133/2020 dated 05-03-2020 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. construction of Gulpur-Chachi road by GREF situated at Village Gulpur, Tehsil Haveli, District Poonch.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that the land measuring 41 Kanals, 16 Marlas in Village Gulpur, Tehsil Haveli, District Poonch is required for public purposes viz. for construction of Gulpur-Chachi road by GREF. Further, the Collector, Land Acquisition (Def), Rajouri is directed under section 7 of the said act to take orders for acquisition of the said land after giving prescribed notice to the interested person (s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of lands involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants, in accordance with the relevant laws/rules in force, while making the award.

(Sd.) DR. PAWAN KOTWAL, IAS,
Principal Secretary to Government,
Revenue Department.

Annexure-A

Particulars of Land

District	Tehsil	Village	Khasra Nos.	Area
1	2	3	4	5
Poonch	Haveli	Gulpur	53 min	K. M. 01-16
			97 min	01-08
			97 min	02-00
			97 min	04-01
			97 min	05-11
			98 min	00-13
			100 min	01-18

1	2	3	4	5
				K. M.
			102/1 min	00-06
			103 min	01-02
			103 min	02-00
			103 min	02-15
			104 min	02-06
			354 min	01-16
			347/2 min	03-00
			347 min	00-17
			347/1 min	01-03
			401	09-04
			Total	41-16

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT-GENERAL ADMINISTRATION
DEPARTMENT.

Subject :—Policy on transfer/posting of Government employees.

Government Order No. 15-JK (GAD) of 2021

Dated 06-01-2021.

In view of the need to effect the transfers/postings of Government employees in the interest of administration, necessitated either on account of urgency involved or their stay beyond the prescribed period, there shall be a relaxation of Government Order No. 948-JK(GAD) of 2020 dated 15-10-2020. During the period of relaxation, the Competent Authority as per Transaction of Business Rules of the Union Territory of Jammu and

Kashmir, shall effect transfers till 31st January, 2021, subsequent whereof, the restrictions imposed vide Government Order ibid shall resume.

It is further ordered that such transfers/postings shall be effected in a manner that these are restricted to 15%, ensuring further that the employees having the maximum tenure are considered for transfer in the first instance and the others thereafter.

By order of the Government of Jammu and Kashmir.

(Sd.) MANOJ KUMAR DWIVEDI, IAS,
Commissioner/Secretary to the Government.



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THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

Vol. 133] Jammu, Thu., the 11th March., 2021/20th Phal., 1942. [No. 50
Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART II—A

Orders by Heads of Departments.

CHARGE REPORTS

CHARGE REPORTS

In pursuance of Government Order No. 93-JK (GAD) of 2021 dated 30-01-2021 issued by the General Administration Department vide endorsement No. GAD(Ser) Genl/104/2018-II dated 30-01-2021, I, Rejesh Sharma (KAS) do hereby assume the charge of the post of Custodian General, J&K today the 3rd of February, 2021 forenoon.

(Sd.) RAJESH SHARMA, KAS,

Custodian General,
J&K, Jammu.

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Certified that we have in the afternoon of this day respectively made over and received charge of the Office of Chief Medical Officer, Health and Family Welfare, Doda along with cash balance lying in Account No. CD-509 of Jammu and Kashmir Bank, Branch Ex-Doda as on 31-11-2020 A. N. of Rs. 95/- (Rupees Ninety-five) only last entry made in the cash book as well as drawal register.

The closing balance as on 30-11-2020 A. N. as per cash book and a per bank statement is Rs. 95/- (Rupees Ninety-five) only.

Memo of the balane for which responsibility is accepted by the Officer, Receiving Charge.

Permanent Advance : Rs. 95/- (Rupees Ninety-five) only.

Station : Doda.

Dated : 01-12-2020.

(Sd.)

Chief Medical Officer,
Health and Family Welfare, Doda.

Relieved Officer.

(Sd.)

Chief Medical Officer,
Health and Family Welfare, Doda.

Relieving Officer.



THE
JAMMU AND KASHMIR OFFICIAL GAZETTE

Vol. 133] Jammu, Thu., the 11th March, 2021/20th Phal., 1942. [No. 50

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART II—B

Notifications, Notices and Orders by the Heads of Departments.

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OFFICE OF THE COLLECTOR, LAND ACQUISITION
(ACR), RAMBAN.

Notice under sections 9, 9A of the J&K State Land Acquisition
Act, (Svt) 1990

No.11/ACR of 2020

Dated 15-09-2020.

Notice is hereby given to all interested person/persons that the Government of J&K intends to take possession of land measuring 07K6 01M at village Batote, Tehsil Batote, District Ramban for construction of Defence Complex, as per particulars appended to this notice for which Notification No. 279-Rev(LAJ) of 2020 dated 07-09-2020 has been issued by the Office of Principal Secretary to Government, Revenue Department vide endorsement No. Rev/LAJ/297/2020 dated 07-09-2020 under sections 6, 7 and 17 of the Land Acquisition Act, (Svt) 1990 for acquiring of land.

Now, before taking over the possession of land and payment of compensation, all the interested persons are called upon to appear before the undersigned on 22-09-2020 at 2 P.M. at DC Complex, Ramban and state the nature of their respective interests in the land, the amount and particulars of their claims to compensation for such interests, and their objections (if any) to the quantum and measurement of land. It is required that all such claims and objections are made in writing.

Defence Estate Officer, Northern Command (Indenting Department) is also hereby requested to appear before the undersigned either in person or through his authorized representative on above said date, time and venue to put forth his objection, if any, to the measurement made and to the amount of the tentative compensation that may be assessed.

Honøble High Court of J&K at Jammu while disposing off the writ petition OWP No. 645/2005 titled Sakina V/s. State of J&K, in its judgement passed on 09-07-2019, issued directions and relevant part is reproduced as under :ô

õ.....in view of these peculiar circumstances, it would not be in the interest of justice to put the petitioner back in possession of the acquired land or permit her to continue the possession as they may be as that would be to the serious prejudice of the security of the Army. According, taking cue from the judgement of the Supreme Court of India in the case of Bhimadas Ambwani V/s. Delhi Power Company Limited, reported in 2013 (14) SCC 195. This petition is disposed of by directing the Collector, Land Acquisition Respondent No. 2 to make the award treating Section 4 (1) Notification issued on the date i. e. 09-07-2019 and make the award after hearing the parties within a period of four months from today. The inquiry of the Collector, Land Acquisition shall only be limited to the working out of the just compensation payable to the petitioner for her land acquired by the respondents. Needless to say that the petitioner if not satisfied within the amount of compensation paid, shall be at liberty to seek a reference under section 18 of the Act and to pursue the remedies available to her under the Actö.

Whereas, it may be taken into notice by all that no claim or objection whatsoever will be entertained after above said date.

District	Tehsil	Village	Khasra Nos.	Area
ô ô ô ô ô ô ô ô	ô ô ô ô ô ô ô ô	ô ô ô ô ô ô ô ô	ô ô ô ô ô ô ô ô	ô ô ô ô ô ô
				K. M.
Ramban	Batote	Batote	96	00607
			97	06614
			ô ô ô ô ô ô ô ô	ô ô ô ô ô ô
			Total	07601
			ô ô ô ô ô ô ô ô	ô ô ô ô ô ô

(Sd.)

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Notification

Subject :ô Notification of the elected members for the post of Chairman
of the Standing Committee(s).

$$\hat{O} \quad \hat{O} \quad \hat{O} \quad \hat{O}$$

- Whereas, in terms of section 40 of the Municipal Corporation Act, 2000, J&K Municipal Corporation (Amendment) Act, 2018 and J&K Municipal Corporation (Amendment) Act, 2020, Regulation 50 of the Jammu and Kashmir Municipal Corporation (Procedure and Conduct of Business) Regulations, 2005, notification for election of Chairpersons of the Standing Committee(s) was issued vide No.1287-1295/Secy/2020/C dated 06-01-2021.
- Whereas, scrutiny of the nomination papers received in response to above notification revealed that two nominations each for Swachh Bharat Standing Committee, Social Justice Standing Committee and Public Health Sanitation Standing Committee had been received for the election of Chairpersons of these Standing Committee(s).
- Since two number of valid nominations received for each Swachh Bharat Standing Committee, Social Justice Standing

Committee and Public Health Sanitation Standing Committee the election was conducted on 19-01-2021 for the post of Chairman of these Standing Committee(s) i. e. Swacch Bharat Standing Committee, Social Justice Standing Committee and Public Health Sanitation Standing Committee as per rules by way of open ballot as per Amendment issued by Ministry of Home Affairs, Government of India vide No. S. O. 3808(E) dated 26-10-2020.

- Since, the contesting candidates against the nominated members Sh. Yash Paul Sharma, Sh. Kuldeep Singh and Sh. Narinder Singh for Swacch Bharat, Social Justice and Public Health Sanitation Standing Committee(s) respectively remained absent on the date of the election, hence the results of the election were announced for Chairman of Swacch Bharat Standing Committee, Social Justice Standing Committee, and Public Health Sanitation Standing Committee.

Now therefore, in exercise of the powers conferred under Regulations 50 of the Municipal Corporation (Procedure and Conduct of Business) Regulations, 2005, I, Chander Mohan Gupta, Mayor, Municipal Corporation, Jammu hereby declare members mentioned in the enclosed list as duly elected Chairpersons of the Standing Committee(s) unopposed mentioned therein.

(Sd.) CHANDER MOHAN GUPTA,

Mayor,
Municipal Corporation, Jammu.

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Annexure to Notification No. 1442-1452/Secy/2020/C
dated 19-09-2021

Swacch Bharat Committee

S. No.	Elected Chairman of Swacch Bharat Committee	Ward No.
1	Sh. Yash Paul Sharma	35

Social Justice Committee

S. No.	Elected Chairman of Social Justice Committee	Ward No.
1	Sh. Kuldeep Singh	63

Public Health Sanitation Committee

S. No.	Elected Chairman of Public Health Sanitation Committee	Ward No.
1	Sh. Narinder Singh	70

(Sd.) CHANDER MOHAN GUPTA,

Mayor,
Municipal Corporation, Jammu.

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GOVERNMENT OF JAMMU AND KASHMIR,
DIRECTORATE OF INDUSTRIES AND COMMERCE
(REGISTRAR OF SOCIETIES/FIRMS, JAMMU),
1ST FLOOR, UDYOG BHAWAN, RAIL HEAD COMPLEX,
JAMMU.

Notice

It is notified for the information of General Public that M/s Vardhan Oil Carriers located at Shop No. 101/2, Transport Nagar, Jammu, J&K has applied for recording changes in the constitution of their firm under section 63 of The Partnership Act, 1932 whereby (1) Smt. Surjit Kour W/o Sh. Satpal Singh R/o Bandhu Rakh, Kunjwani, Jammu, (2) Sh. Kamaljit Singh S/o Sh. Sant Singh R/o Akali Kour Singh Nagar, Digyana, Jammu, (3) Sh. Surinder Singh S/o Sh. Harbans Singh R/o Gandhi Nagar, Jammu, (4) Sh. Gurdeep Singh S/o Sh. Kalyan Singh R/o H. No. 58, Deep Nagar, Kunjwani, (5) Sh. Daljit Singh S/o Sh. Jodh Singh R/o Akali Kour Singh Nagar, Digyana, Jammu, (6) Sh. Surinder Singh S/o Sh. Sujan Singh R/o H. No. 282, Sec. 11, Nanak Nagar, Jammu has joined the partnership firm, as new partners on 01-09-2020 whereas (1) Sh. Harminder Singh S/o Sh. Harbhajan Singh R/o 68, B. C. Road, Jammu has expired on 02-03-2018, (2) Sh. Vinod Kumar S/o Sh. Moti Lal R/o Plot No. 2, Rehari Colony, Jammu, (3) Sh. Jagdev Singh S/o Sh. Harbans Singh R/o 71/7, Nanak Nagar, Jammu, (4) Sh. Rajesh Kumar S/o Sh. Satpal Gupta R/o 2/1, Roop Nagar, Jammu, (5) Gurdev Singh S/o Sh. Pritam Singh R/o F-251/1, Nanak Nagar, Jammu has left the Partnership Firm and their names are proposed to be deleted w. e. f. 01-09-2020. Before, the changes are recorded in the posting register of the Registrar of Firms, Jammu, any person/persons having any objections shall file the same within 10 days from the date of publication of this notice in the office of Registrar of Societies/Firms, Directorate of Industries and Commerce, 1st Floor, Udyog Bhawan, Rail Head Complex, Jammu.

(Sd.)

For Registrar of Firms,
J&K Government, Jammu.

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Notice

I, hitherto known as Palvi Salathia D/o Sh. Kulbushan Singh Salathia R/o Near Durga Mandir, Gangyal, Jammu wants correction in Aadhar Card which is wrongly written as Pallvi Slathia.

It is certified that I have complied with other legal requirements in this connection.

Palvi Salathia

D/o Sh. Kulbushan Singh Salathia.

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Notice

I Mohit Pandita S/o Shuban Krishan R/o H. No. 4, Lane No. 5A Extension, Anand Nagar, Bohri, Jammu want to change my father's name in my school record as Shuban Krishan instead of Shuban Krishan Pandita.

Objections may convey to concern authorities within 7 days.

It is certified that I have complied with other legal requirements in this connection.

Mohit Pandita

S/o Sh. Shuban Krishan

R/o H. No. 04 Lane No. 5/A Ext.

Anand Nagar, Bohri Tehsil Jammu.

Notice

No Legal responsibility is accepted for the publication of Advertisements/Public Notices in this Part of the Official Gazette of UT of J&K. Persons notifying the Advertisements/Public Notices will remain solely, responsible for the legal consequences and also for any other misrepresentation etc.

By Order.

General Manager,
Ranbir Govt. Press, Jammu.

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JAMMU AND KASHMIR PUBLIC SERVICE COMMISSION,
RESHAM GHAR COLONY, BAKSHI NAGAR,
JAMMU-180001.

Subject :ô Revised interview schedule for the post of Range Officer Grade-I (Wildlife) of J&K Forest Gazetted Service in Forest Department.

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Notice

Dated 19-11-2020.

The interview schedule of the following shortlisted candidates for the post of Range Officer Grade-I (Wildlife) of J&K Forest (Gazetted)

- | S. No. | Roll No. | Name | Parentage | Date of interview |
|--------|----------|-----------------------|-------------------|-------------------|
| 01 | 2700025 | Rayees Ahmad Reshi | Mohd Ashraf Reshi | 07-12-2020 |
| 02 | 2700034 | Neesa Imtiyaz | Imtiyaz Ahmad Dar | 07-12-2020 |
| 03 | 2700075 | Mir Faizan Anwar | N. Anwar Hussain | 07-12-2020 |
| 04 | 2700094 | Yasir Amin | Mohd Amin Khaja | 07-12-2020 |
| 05 | 2700158 | Ranveer Singh | Shammi Kumar | 07-12-2020 |
| 06 | 2700197 | Waqar Younis | Mohd Younas Najar | 07-12-2020 |
| 07 | 2700217 | Vikas Thakur | Doulat Ram | 07-12-2020 |
| 08 | 2700233 | Iftikhar Hussain Khan | Mohd Hanif Khan | 07-12-2020 |
| 09 | 2700236 | Mehran Mustafa | Mohd Dil Pazir | 07-12-2020 |
| 10 | 2700283 | Sumit Kumar | Jaswant Singh | 07-12-2020 |

Secretary,
J&K Public Service Commission.



सत्यमेव जयते

THE

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separate compilation.

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ADVERTISEMENTS—C

POLICE HEADQUARTERS, JAMMU AND KASHMIR,
JAMMU

(Provision Section).

Extension Notice

Due to administrative reasons, the last of date for submission of
online bids and opening of Technical Bids against NIT No. 01 of 2021
dated 18-01-2021 floated by this Headquarters for supply/installation/
commissioning of Big Data Repository are re-scheduled as under :ô

1. Last date of receipt of tenders = 01-03-2021 up to 1800 hours.
2. Date of opening of technical bids = 03-03-2021 at 1100 hours.

The other terms and conditions of the NIT shall remain the same.

(Sd.) RAYEES MOHAMMAD BHAT (IPS),
AIG (Provision and Transport)
For Director General of Police,
J&K, Jammu.

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JAMMU AND KASHMIR POLICE HEADQUARTERS

(Provision Section).

Clarification/Amendment Notice

In pursuance to receipt of queries from various intending bidders, clarifications/amendments are hereby made as per Annexure A to e-NIT No. 51 of 2020 dated 19-11-2020 floated by this Headquarters for the installation of CCTV Surveillance System at Raj Bhawan, Srinagar. The intending firms may visit Government e-Tender website [https://jktenders.gov.in/tender id 2020_DGPJK_109603_1](https://jktenders.gov.in/tender_id_2020_DGPJK_109603_1) for further details.

(Sd.) SOURABH PRASHAR (JKPS),

Dy. SP (Provision-Transport)
For Director General of Police,
PHQ, J&K, Jammu.

رجسٹرڈ نمبر جے کے۔ 33



جموں و کشمیر گورنمنٹ گزٹ

جلد نمبر 133۔ جموں۔ مورخہ 11 مارچ 2021ء بمطابق 20 پھاگن 1942۔ ویروار۔ نمبر 50

اشتہارات

از عدالت سب جج جوڈیشل مجسٹریٹ درجہ اول نوشہرہ

سرکار بنام روشن لعل

مثل نمبر 12/چالان تاریخ دائرہ 01-02-2021

علت نمبر 87 سال 2017ء تھانہ پولیس نوشہرہ

بجرائم زیر دفعات u/s 420,467,471,468 RPC

وارنٹ گشتی گرفتاری عام زیر دفعہ 299 ضابطہ فوجداری

بخلاف ملزم : روشن لعل ولد کرشن لعل ساکنہ ہنخانہ ٹھاکرہ تحصیل نوشہرہ ضلع راجوری

حکم بنام اہلکاران پولیس یوٹی جموں و کشمیر

مقدمہ مندرجہ عنوان اُصدر میں ملزم متذکرہ صدر کے خلاف بروئے حکم
امروزہ کاروائی زیر دفعہ 299 ض ف عمل میں لائی جا چکی ہے اور ملزم کے خلاف
وارنٹ جاری کرنے کا حکم ہوا ہے جو کہ جاری کیا جاتا ہے۔

لہذا آپ کو اصل وارنٹ گشتی گرفتاری عام زیر دفعہ 299 ض ف کی رو سے حکم
واختیار دیا جاتا ہے کہ اگر ملزم مذکور متذکرہ صدر اندر حدود یوٹی جموں و کشمیر جب کبھی
اور جہاں کہیں بھی دستیاب ہو، تو اس کے تحت ضابطہ گرفتار کر کے عدالت ہذا پیش کیا
جاوے۔ وارنٹ ہذا دستیابی ملزم زیر کار رہے گا۔ تحریر

دستخط : سب جج جوڈیشل مجسٹریٹ درجہ اول نوشہرہ۔

از عدالت پرنسپل سیشن جج بھدرwah

سرکار بنام لوک راج شرما وغیرہ

علت نمبر 153 سال 2020 تھانہ پولیس بھدرwah

بجرائم زیر دفعات IPC 447/427/504/506/147/148/109

3(1) (X)(X1) SC/ST PoA Act.

وارنٹ گشتی عام بمنشائے زیر دفعہ 299 ضف

بخلاف ملزمان :

- (1) لوک راج شرما ولد تارا چند (2) بودھراج شرما ولد پریم ناتھ
- (3) اجیت شرما (4) امت شرما پسران بودھراج شرما
- (5) امریش شرما ولد راجد یو شرما (6) سنی شرما ولد یشپال شرما
- (7) گنیش کمار ولد امر چند شرما (8) ارن شرما ولد کلدیپ شرما
- (9) بٹو شرما ولد فلیل سنگھ ساکنان چچوڑہ چنہ تحصیل بھدرwah۔

بنام اہلکاران پولیس جموں و کشمیر یوٹی

مقدمہ مندرجہ عنوان اُلصدر میں ملزمان دوران سماعت مقدمہ پس و پیش

ہو چکے ہیں اور کہیں بھی دستیاب نہ ہو رہے ہیں جیسا کہ بیان تلاش کنندگان سے عیاں ہے کہ ملزمان مذکوریاں کی سر دست دستیابی کی کوئی بھی امید نہ ہے۔ اس طور عدالت ہذا کو بھی اطمینان ہو چکا ہے کہ ملزمان مذکوریاں کی سر دست دستیابی بطریق معمول

ہونا ناممکن ہے۔

لہذا اہلکاران پولیس یوٹی جموں و کشمیر کو حکم و اختیار دیا جاتا ہے تاکہ ملزمان متذکرہ بالا اندر حدود یوٹی جموں و کشمیر جہاں کہیں بھی دستیاب ہوں گرفتار کر کے عدالت ہذا میں اوقات کچہری میں پیش کریں۔ وارنٹ ہذا تا دستیابی ملزمان زیر کار رہے گئے۔ تحریر 11-02-2021

دستخط : پرنسپل سیشن جج بھدر واہ۔

EXTRAORDINARY

REGD. NO. JK 33



THE

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PART III

Laws, Regulations and Rules passed thereunder.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATô LABOUR AND EMPLOYMENT
DEPARTMENT

Notification

Jammu, the 15th of January, 2021.

SO-16.ôôThe following draft rules, which the Jammu and Kashmir Government proposes to make in exercise of the powers conferred by section 67 of the Code on Wages, 2019 (29 of 2019) read with section 24 of the General Clauses Act, 1897 (10 of 1897) and in supersession of the :ô

- (i) The Jammu and Kashmir Payment of Wages Rules, 1972 ;
- (ii) The Jammu and Kashmir Minimum Wages Rules, 1972 ;

made by the Jammu and Kashmir Government in exercise of the powers conferred by the Payment of Wages Act, 1936 (4 of 1936), the minimum

2 The J&K Official Gazette, 15th Jan., 2021/25th Pausa, 1942. [No. 42-a
Wages Act, 1948 (11 of 1948), as the case may be, which are repealed
by section 69 of the Code on Wages, 2019, except as respective things
done or omitted to be done before such supersession, are hereby notified,
as required by sub-section (1) of section 67, for information of all persons
likely to be affected thereby and notice is hereby given that the draft
notification will be taken into consideration after the expiry of a period
of forty-five days from the date on which the copies of the Official
Gazette in which this notification is published are made available to the
public ;

Objections and suggestions, if any, may be addressed to Commissioner
Secretary, Labour and Employment (secyledjk@gmail.com) and Additional
Secretary, Labour and Employment Department, Civil Secretariat, J&K.

Objections and suggestions, which may be received from any person
with respect to the said draft notification before expiry of the period
specified above, will be considered by the Jammu and Kashmir
Government.

CHAPTER I

Preliminary

1. **Short title, extent and commencement.** (1) These rules may
be called the Code on Wages Jammu and Kashmir Rules, 2021.

(2) These rules may extend to the territorial jurisdiction of Jammu
and Kashmir.

(3) They shall come into force after the date of their final
publication in the Official Gazette, on the date of the commencement
of the Code on Wages, 2019 (29 of 2019).

2. **Definitions.** In these rules, unless the subject or context
otherwise requires,

- (a) "authority" means the authority appointed by the Jammu and
Kashmir Government under sub-section (1) of section 45 ;
- (b) "appellate authority" means the appellate authority appointed
by the Jammu and Kashmir Government under sub-
section (1) of section 49 ;

(p) "registered trade union" means a trade union registered under The Trade Unions Act, 1926 (16 of 1926) ;

(r) "section" means a section of the Code ;

(t) "skilled occupation" means an occupation which involves skill and competence in its performance through experience on the job or through training as an apprentice in a technical or vocational institute and the performance of which calls for initiating and judgment ;

(v) all other words and expressions used herein in these rules and not defined shall have the meanings respectively assigned to them under the Code.

Minimum Wages

(I) the standard working class family which includes a spouse and two children apart from the earning worker ; an equivalent of three adult consumption units ;

(II) A net intake of 2700 calories per day per consumption unit ;

(III) 66 meters cloth per year per standard working class family ;

(IV) Housing rent expenditure to constitute 10 per cent of food and clothing expenditure ;

(V) Fuel, electricity and other miscellaneous items of expenditure to constitute 20 per cent of minimum wage ; and

(VI) Expenditure for children education, medical requirement, recreation and expenditure on contingencies.

Note :ô The provisions of the rule 3 are based on the criteria declared in the judgment in Workmen Represented by Secretary vs. Management of Reptakos Brett. and Co. Ltd. and Anr., 1992 AIR 504 pronounced by the Honøble Supreme Court and on the recommendations of the 15th Indian Labour Conference (ILC) to constitute 25 per cent of minimum wage ;

(2) when the rate of wages for a day is fixed, then, such amount shall be divided by eight for fixing the rate of wages for an hour and multiplied by twenty-six for fixing the rate of wages for a month and in such division and multiplication the factors of one-half and more than one-half shall be rounded as next figure and the factors less than one-half shall be ignored.

4. Norms for fixation of minimum rate of wages.ô (1) While fixing the minimum rate of wages under section 6, the Jammu and Kashmir Government shall divide the concerned geographical area into three categories, that is to say area under Municipal Corporations area under Municipal Committees/Municipal Councils and Rural area.

(2) The Jammu and Kashmir Government shall constitute a technical committee for the purpose of advising the Jammu and Kashmir Government in respect of skill categorization, which shall consist of the following members, namely :ô

(i) Commissioner/Secretary to Government, Labour and Employment (Jammu and Kashmir)-Chairperson ;

(ii) Commissioner/Secretary to the Government, J&K, Law, Justice and Parliamentary Affairs Department-Member ;

(iv) Director, Skill Development and Entrepreneurship, Government of J&K-Member ;

(vi) Additional/Deputy Secretary to Govt. J&K, Labour and Employment Department-Member ; and

(3) The Jammu and Kashmir Government shall, on the advice of the technical committee referred to in sub-rule (2), categorize the occupations of the employees into four categories that is to say unskilled, semi-skilled, skilled and highly skilled by modifying, deleting or adding any entry in the categorization of such occupations specified in Schedule-A.

5. Time interval for revision of dearness allowance. Endeavour shall be made so that the cost of living allowance and the cash value of the concession in respect of essential commodities at concession rate shall be computed once before 1st April and then before 1st October in every year to revise the dearness allowance payable to the employees on the minimum wages.

6. Number of hours of work which shall constitute a normal working day. (1) The normal working day under clause (a) of subsection (1) of section 13 shall be comprised of eight hours of work and one or more intervals of rest which in total shall not exceed one hour.

(4) Nothing in this rule shall be deemed to affect the provisions of the Factories Act, 1948 (63 of 1948).

Provided that an employee shall be entitled for the rest day under this sub-rule if he has worked under the same employer for a continuous period of not less than six days :

Explanation : For the purpose of computation of the continuous period of not less than six days specified in the first proviso to this sub-rule, any day on which an employee is required to attend for work but is given only an allowance for attendance and is not provided with work, a day on which an employee is laid off on payment of compensation under the Industrial Disputes Act, 1947 (14 of 1947), and any leave or holiday, with or without pay, granted by the employer to an employee in the period of six days immediately preceding the rest day, shall be deemed to be days on which the employee has worked.

(iii) the employee works on the rest day and has been given a substituted rest day, then, he shall be paid, only for the rest day on which he worked, an amount equal to the wages payable to him at the overtime rate ; and, if any, dispute

No. 42-a] The J&K Official Gazette, 15th Jan., 2021/25th Pausa, 1942. 9
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arises whether the daily rate of wages has been worked out in accordance with the provisions of this proviso, the Labour Commissioner, J&K or the Deputy Labour Commissioner or the Assistant Labour Commissioner (Jammu and Kashmir) having territorial jurisdiction may, on application made to him in this behalf, decide the same, after giving an opportunity to the parties concerned to make written representations :

Provided further that in case of an employee governed by a piece-rate system, the wages for the rest day, or the substituted rest day, as the case may be, shall be such as the Jammu and Kashmir Government may, from time to time determine having regard to the minimum rate of wages fixed under the Code, in respect of the employment.

Explanation :ô In this sub-rule ñnext preceding dayø means the last day on which the employee has worked, which precedes the rest day, as the case may be ; and where the substituted rest day falls on a day immediately after the rest day, the next preceding day means the last day on which the employee has worked, which precedes the rest day.

(5) The provisions of this rule shall not operate to the prejudice of more favourable terms, if any, to which an employee may be, entitled under any other law or under the terms of any award, agreement or contract of service, and in such a case, the employee shall be entitled only to more favourable terms aforesaid.

Explanation :ô For the purposes of this rule, ñweekø shall mean a period of seven days beginning at midnight on Saturday night.

8. Night shifts.ô Where an employee in an employment works on a shift which extends beyond midnight, then,ô

- (a) a rest day for the whole day for the purposes of rule 7 shall, in this case means a period of twenty-four consecutive hours beginning from the time when his shift ends ; and
- (b) the following day in such a case shall be deemed to be the period of twenty-four hours beginning from the time when such

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 shift ends, and the hours after midnight during which such
 employee was engaged in work shall be counted towards the
 previous day.

9. The extent and conditions for the purposes of sub-section (2) of section 13.ô In case of employees,ô

- (a) engaged in any emergency which could not have been foreseen or prevented ;
- (b) engaged in work of the nature of preparatory or complementary work which must necessarily be carried on outside the limits laid down for the general working in the employment concerned ;
- (c) whose employment is essentially intermittent ;
- (d) engaged in any work which for technical reasons has to be completed before the duty is over ; and
- (e) engaged in a work which could not be carried on except at times dependent on the irregular action of natural forces ; the provisions of rules 6, 7 and 8 shall apply subject to the condition that,
 - (i) the spread over of the hours of work of the employee shall not exceed 16 hours in any day ; and
 - (ii) the actual hours of work excluding the intervals of rest and the periods of inaction during which the employee may be on duty but is not called upon to display either physical activity or sustained attendance shall not exceed 9 hours in any day.

10. **Longer wage period.** The longer wage period for the purposes of minimum rate of wages under section 14 shall be by the month.

CHAPTER III

Payment of Wages

11. **Recovery under sub-section (4) of section 18.** Where the total deductions authorized under sub-section (2) of section 18 exceed fifty per cent of the wages of an employee, the excess shall be carried

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forward and recovered from the wages of succeeding wage period or
wage periods, as the case may be, in such instalments so that the recovery
in any month shall not exceed the fifty per cent of the wages of the
employee in that month.

12. The authority under sub-section (1) of section 19. The Assistant Labour Commissioner having jurisdiction over the place of work of the employee concerned shall be the authority for the purposes of sub-section (1) of section 19.

13. The manner of exhibiting the notice under sub-section (2) of section 19. A notice referred to in sub-section (2) of section 19 shall be displayed at the conspicuous places in the premises of the work place in which the employment is carried on, so that every concerned employee would be able easily to read the contents of the notice and a copy of the notice shall be sent to the Inspector-cum-Facilitator having jurisdiction.

14. The procedure under sub-section (3) of section 19. The employer shall give an intimation in writing specifying therein the detailed particulars for obtaining the approval of the imposition of fine to the Assistant Labour Commissioner referred to in rule 12 who shall, before granting or refusing the approval, give opportunity of being heard to the employee and the employer concerned.

15. Intimation of deduction. (1) Where an employer makes any deduction in pursuance of the proviso to sub-section (2) of section 20, he shall make intimation of such deduction to the Inspector-cum-Facilitator having jurisdiction within 10 days from the date of such deduction explaining therein the reason of such deduction.

(2) The Inspector-cum-Facilitator shall, after receiving intimation under sub-rule (1), examine such intimation and if he finds that the explanation given therein is in contravention of any provision of the Code or the rules made thereunder, he shall initiate appropriate action under the Code against the employer.

16. Procedure for deduction under sub-section (2) of section 21. Any employer desiring to make deduction for damages or loss under sub-section (1) of section 21 from the wages of an employee shall,

- (i) explain to the employee personally and also in writing the damage or loss of goods expressly entrusted to the employee

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for custody or for loss of money for which he is required to
account and how such damages or loss is directly attributable
to the neglect or default of the employee ; and

- (ii) thereafter, give the employee an opportunity to offer any explanation and deduction for any damages or loss, if made, shall be intimated to the employee within fifteen days from the date of such deduction.

17. Conditions regarding recovery of advance under section 23. The recovery, as the case may be of,

- (i) advances of money given to an employee after the employment begins under clause (b) of section 23 ; or
- (ii) advances of wages to an employee not already earned under clause (c) of section 23, shall be made by the employer from the wages of the concerned employee in instalments determined by the employer, so as any or all instalments in a wage period shall not exceed fifty per cent of the wages of the employee in that wage period and the particulars of such recovery shall be recorded in the register maintained in Form-I.

18. Deduction under section 24. Deductions for recovery of loans granted for house building or other purposes approved by the Jammu and Kashmir Government, and the interest due in respect thereof shall be, subject to any direction made or circular issued by the Jammu and Kashmir Government from time to time regulating the extent to which such loans may be granted and the rate of interest shall be payable thereon.

CHAPTER IV

Jammu and Kashmir Advisory Board

A. Procedure of Jammu and Kashmir Advisory Board under sub-section (10) of section 42.

19. Constitution of the Board. (1) The Board shall consist of the persons to be nominated by the Jammu and Kashmir Government representing employers and employees as specified in clauses (a)

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and (b) of sub-section (6) of section 42 and the independent persons
of that sub-section as specified in clause (c).

(2) The persons representing employers as referred to in clause (a) of sub-section (6) of section 42 shall not be less than eight and the persons representing employees referred to in clause (b) of that sub-section shall also not be less than eight.

(3) The independent persons specified in clause (c) of sub-section (6) of section 42 to be nominated by the Jammu and Kashmir Government shall consist of the following, namely :

- (i) The Chairperson ;
- (ii) Two Members of State Legislature ;
- (iii) Adm. Secretary, Labour and Employment Department, J&K (Member) ;
- (iv) Labour Commissioner, J&K (Member-cum-Secretary) ;
- (v) Two members each of whom, shall be a professional in the field of wages and labour related issues ;
- (vi) one member who is or has been a presiding officer of an Industrial Tribunal constituted by the Jammu and Kashmir Government under section 7-A of the Industrial Disputes Act, 1947 (14 of 1947) ; and

(4) The Jammu and Kashmir Government shall, while nominating the members of the Board, take into account that the independent members under sub-rule (2) shall not exceed one-third of the total members of the Board and one-third of the members of the Board shall be women.

20. Meeting of the Board. The Chairperson may, subject to the provisions of rule 22, call a meeting of the Board, at any time he thinks fit :

Provided that on requisition in writing from not less than one-half of the members, the Chairperson shall call a meeting within thirty days from the date of the receipt of such requisition.

21. Notice of meetings. The Chairperson shall fix the date, time and place of every meeting and a notice in writing containing the aforesaid particulars along with a list of business to be conducted at the meeting shall be sent to each member by registered post and electronically at least fifteen days before the date fixed for such meeting :

22. Functions of Chairperson. The Chairperson shall,

Provided that in the absence of the Chairperson at any meeting, the members shall elect from amongst themselves by a majority of votes, a member who shall preside at such meeting ;

(iii) wherein the meeting of the Board, if any, issue has to be decided by voting, conduct the voting and count or cause to be counted the secret voting in the meeting.

Provided that, if at any meeting less than one-third of the members are present, the Chairperson may adjourn the meeting to a date not later than seven days from the date of the original meeting and it shall thereupon be lawful to dispose of the business at such adjourned meeting irrespective of the number of members present :

24. Disposal of business of the Board. All business of the Board shall be considered at a meeting of the Board, and shall be decided by a majority of the votes of members present and voting and

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in the event of an equality of votes, the Chairperson shall have a
casting vote :

Provided that the Chairperson may, if he thinks fit, direct that any
matter shall be decided by the circulation of necessary papers and by
securing written opinion of the members :

Provided further that no decision on any matter under the preceding
proviso shall be taken, unless supported by not less than two-thirds
majority of the members.

25. Method of voting.ô Voting in the Board shall ordinarily be
by show of hands, but if any member asks for voting by ballot, or
if the Chairperson so decides, the voting shall be by secret ballot and
shall be held in such manner as the Chairperson may decide.

26. Proceedings of the meetings.ô (1) The proceedings of each
meeting of the Board showing *inter alia* the names of the members
present thereat shall be forwarded to each member and to the Jammu
and Kashmir Government as soon after the meeting as possible, and
in any case, not less than seven days before the next meeting.

(2) The proceedings of each meeting of the Board shall be
confirmed with such modification, if any, as may be considered necessary
at the next meeting.

27. Summoning of witnesses and production of documents.ô
(1) The Chairperson may summon any person to appear as a witness
if required in the course of the discharge of his duty and require any
person to produce any document.

(2) Every person who is summoned and appears as a witness before
the Board shall be entitled to an allowance for expenses by him in
accordance with the scale for the time being in force for payment of
such allowance to witnesses appearing before a civil court.

28. Appointment of the committees.ô The Jammu and Kashmir
Government may constitute as many committees under clause (a) of sub-
section (1) of section 8 as it considers necessary for the purposes specified
in that clause.

**B. Terms of office of members of the Board under sub-section (11)
of section 42.**

[illegible]

29. Term of office of members of the Board. (1) The term of office of the Chairperson or a member, as the case may be, shall be normally two years commencing from the date of his appointment or nomination, as the case may be, under sub-section (11) of section 42 :

Provided that such Chairperson or a member shall, notwithstanding the expiry of the said period of two years, continue to hold office until his successor is appointed or nominated, as the case may be.

(2) An independent member of the Board nominated to fill a casual vacancy shall hold office for the remaining period of the term of office of the member in whose place he is nominated.

(3) The official members of the Board shall hold office till they are replaced by respective such other official members.

(4) Notwithstanding anything contained in sub-rules (1), (2) and (3), the members of the Board shall hold office during the pleasure of the Jammu and Kashmir Government.

30. **Travelling allowance.** The Chairman and every member of the Board, shall be entitled to draw travelling and halting allowance for any journey performed by him in connection with his duties at the rates specified for other similar BORADS in J&K by the Finance Department.

31. **Officers and staff.** The Labour Commissioner, Jammu and Kashmir Government shall be the Ex-Office Secretary of the Board and office of The Labour Commissioner, J&K shall provide Secretariat Assistance to the Board.

32. Eligibility for re-nomination of the members of the Board. An outgoing member shall be eligible for re-nomination for the membership of the Board for not more than total two terms.

33. Resignation of the Chairperson and other members of the Board. (1) A member of the Board, other than the Chairperson, may, by giving notice in writing to the Chairperson, resign his membership and the Chairperson may resign by a letter addressed to the Jammu and Kashmir Government.

(2) A resignation shall take effect from the date of communication of its acceptance or on the expiry of 30 days from the date of resignation, whichever is earlier.

35. **Disqualification.** (1) A person shall be disqualified for being nominated as, and for being a member of the Board,

- (2) If any question arises whether a disqualification has been incurred under sub-rule (1), the decision of the Jammu and Kashmir Government thereon shall be final.

Payment of Dues, Claims, etc.

37. Deposit of the undisbursed dues under clause (b) of sub-section (1) of section 44.ô (1) Where any amount payable to an

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employee under this Code remains undisbursed because either no
nomination has been made by such employee or for any other reason,
such amounts could not be paid to the nominee of employee until the
expiry of six months from the date the amount had become payable,
all such amounts shall be deposited by the employer with the Assistant
Labour Commissioner having jurisdiction before the expiry of the fifteenth
day after the last day of the said period of six months.

(2) The amount referred to in sub-rule (1) shall be deposited by
the employer with the Assistant Labour Commissioner having jurisdiction
through bank transfer or through a crossed demand draft obtained from
any scheduled bank in India drawn in favour of such Assistant Labour
Commissioner.

**38. Manner of dealing with the undisbursed dues under
clause (b) of sub-section (1) of section 44.** (1) The amount referred
to in sub-rule (1) of rule 37 (hereinafter in this rule referred to as the
amount) deposited with the Assistant Labour Commissioner having
jurisdiction shall remain with him and be invested in the Jammu and
Kashmir or State Government Securities or deposited as a fixed deposit
in a scheduled bank.

(2) The Assistant Labour Commissioner having jurisdiction will
exhibit, as soon as may be possible, a notice containing such particulars
regarding the amount as the Assistant Labour Commissioner considers
sufficient for information at least for fifteen days on the notice board
and also publish such notice in any two newspapers being circulating
in the language commonly understood in the area in which undisbursed
wages were earned.

(3) Subject to the provision of sub-rule (4), the Assistant Labour
Commissioner having jurisdiction shall release the amount to the nominee
or to that person who has claimed such amount, as the case may be,
in whose favour such Assistant Labour Commissioner has decided, after
giving the opportunity of being heard, the amount to be paid.

(4) If the undisbursed amount remains unclaimed for a period of
seven years, the same shall be dealt within the manner as directed by
the Jammu and Kashmir Government from time to time in this behalf.

43. Manner of holding enquiry under sub-section (1) of section 53. (1) When a complaint is filed before the officer appointed under sub-section (1) of section 53 (hereinafter in this rule referred to as the officer) in respect of the offences referred to in said sub-section either by an officer authorized for such purpose by the Jammu and Kashmir Government or by an employee aggrieved or a registered trade union registered under the Trade Unions Act, 1926 or an Inspector-cum-Facilitator, the officer, after considering such evidences as produced before him by the complainant, is of the opinion that an offence has

[illegible]

(2) If the offender to whom the summons has been issued under sub-rule (1) appears or is produced before the officer, he shall explain the offence complained against him and if the offender pleads guilty, the officer shall impose penalty on him in accordance with the provisions of the Code and when the offender does not plead guilty, the officer shall take evidence of the witnesses produced by the complainant on oath and provide opportunity of cross-examination of the witnesses so produced. The officer shall record the statement of the witnesses on oath and in cross-examination in writing and take the documentary evidence on record.

(3) The officer shall, after the complainant's evidence is complete, provide opportunity of defense to the accused person and the witnesses produced by the accused shall be cross-examined after their statements on oath by the complainant and documentary evidence in defense shall be taken on record by the officer.

(4) The officer shall after hearing the parties and considering the evidences both oral and documentary decide the complaint in accordance with the provisions of the Code.

44. **The manner of imposing fine under sub-section (1) of section 56.** (1) An accused person desirous of making composition of offence under sub-section (1) of section 56 may make an application in Form-VI electronically or otherwise to the Gazetted Officer notified under said sub-section (1) of section 56.

(2) The Gazetted Officer referred to in sub-rule (1), shall, on receipt of such application, satisfy himself as to whether the offence is compoundable or not under the Code and if the offence is compoundable and the accused person agrees for the composition, compromise the offence for a sum of fifty per cent of the maximum fine provided for such offence under the Code, to be paid by the accused within the time specified in the order of composition issued by such officer.

(3) Where the offence has been compromised under sub-rule (2) after the institution of the prosecution, then, the officer shall send a copy of such order made by him for intimation to the officer referred

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to in sub-section (1) of section 53 for needful action under sub-
section (6) of section 56.

CHAPTER VII

Miscellaneous

45. **Timely payment of wages.** Where the employees are employed in an establishment through contractor, then, the company or firm or association or any other person who is the proprietor of the establishment shall pay to the contractor the amount payable to him or it, as the case may be, before the date of payment of wages so that payment of wages to the employees shall be made positively in accordance with the provisions of section 17.

Explanation : For the purpose of this rule, the expression "firm" shall have the meaning as assigned to it in the Indian Partnership Act, 1932 (9 of 1932).

46. **Inspection scheme.** (1) For the purposes of the Code and these rules, there shall be formulated an inspection scheme by the Labour Commissioner (Jammu and Kashmir) with the approval of the Jammu and Kashmir Government.

(2) In the inspection scheme referred to in sub-rule (1), apart from other structural facts, a number shall be specified in the scheme for each Inspector-cum-Facilitator and establishment.

(Sd.)

Commissioner/Secretary to Government,
Labour and Employment J&K.

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Schedule A

[illegible]

1	2
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1	Beldar
2	Calfboy
3	Cattleman
4	Cleaner (Motor Shed, Tractor, Cattle, Yard, M. T.)
5	Collecting loose fodder
6	Dairy coolie
7	Mazdoor (Arportculturist Compost, Dairyø Haystaking, Irrigation, Manure, Stacking, Milk-room, Ration-room Store, Anti-Malaria, M. R.)
8	Driver (Mule, Bullock, Camel, Donkey)
9	Dresser
10	Driver (Bullocks Mule)
11	Grazler
12	Dairyman
13	(Store-Mazdoor)
14	Carrier (Stone)
15	Breaker (using manual appliances)
16	Helper
17	Messenger (Office)
18	Mali

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|----|------------------------------|
| 19 | Syce |
| 20 | Tying and Carrying loose hay |
| 21 | Sweeper |
| 22 | Weighing and Carrying bales |
| 23 | Weighman (Bales pally) |
| 24 | Waterman |
| 25 | Stableman |
| 26 | Trollyman |
| 27 | Valveman |
| 28 | Watchman |
| 29 | White Washer |
| 30 | Wooderman |
| 31 | Wooder Woman |
| 32 | Borryman |
| 33 | Coalman |
| 34 | Condenser |
| 35 | Attendant |
| 36 | Grass Cutter |
| 37 | Muchhers Jamadars |
| 38 | Condenser Attendant |
| 39 | Shunters |
| 40 | Turner |
| 41 | Bajri Spreader |
| 42 | Beater Women |

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|----|---|
| 65 | Electrical |
| 66 | Marine |
| 67 | Moplah |
| 68 | Store |
| 69 | Steam Road |
| 70 | Share |
| 71 | Roller Survey |
| 72 | Labourer (Garden) |
| 73 | Mazdoor |
| 74 | Hole Cutter |
| 75 | Lorry Trainees |
| 76 | Petrolman |
| 77 | Searcher |
| 78 | Signalman |
| 79 | Strikers |
| 80 | Yaks Controller |
| 81 | Cleaner |
| 82 | Dresser/Dressing Mazdoor |
| 83 | Loader |
| 84 | Mazdoor (Male/Female) |
| 85 | Messenger (Male/Female) |
| 86 | Trammer |
| 87 | Caretaker (except in Copper, Chromite and Graphite mines where it is semiskilled) |

[illegible]

- 112 Butcher
- 113 Attender
- 114 Lorry Helper
- 115 Surface Loader
- 116 Wood Cutter
- 117 Surface Mukar
- 118 Underground Mukar
- 119 Striker (Moplah Gang)
- 120 Tall Boy
- 121 Tile
- 122 Person employed in loading and unloading
- 123 Person employed in sweeping and cleaning and other categories by whatever name called which are of unskilled nature
- 124 Any other category of employees by whatever name called which are of unskilled nature.

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S. No. Semi-Skilled

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1 Assistant (Chowdhary)

- | | |
|----|----------------------------|
| 21 | Helper |
| 22 | Jamadar (Stand) |
| 23 | Jamadar |
| 24 | Khalasi |
| 25 | Mali Senior |
| 26 | Mate/Mistry |
| 27 | Mazdoor (Literate) |
| 28 | Nalband |
| 29 | Oilman |
| 30 | Ploughman |
| 31 | Vtackers |
| 32 | Supervisor |
| 33 | Thatcher |
| 34 | Valveman |
| 35 | Valveman (Senior) |
| 36 | Wireman Fixing Tin Cables |
| 37 | Cook |
| 38 | Dandee |
| 39 | Frash |
| 40 | Hacksawman |
| 41 | Helper (Locco-Crane/Truck) |
| 42 | Manjhee (Boatman) |
| 43 | Belchawala |

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44 Muccadam (without competency certificate under Metalliferous

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|----|--|
| 44 | Muccadam (without competency certificate under Metalliferous Bulldozer Driver Mines Regulations, 1961) |
| 45 | Bhisti (with Mushk) |
| 46 | Boatman (Head) |
| 47 | Breaker |
| 48 | Breaker (Stone, Rock, Rock Stone, Stone Metal) |
| 49 | Canweaver |
| 50 | Chainman (Head) |
| 51 | Charpoy-Stringer |
| 52 | Checker |
| 53 | Cracker |
| 54 | Dollyman |
| 55 | Assistant |
| 56 | Driller |
| 57 | Driver (Skin) |
| 58 | Excavator |
| 59 | Ferroman |
| 60 | Fireman (Brick Kiln, Steam Road Roller) |
| 61 | Gatekeeper |
| 62 | Gharami |
| 63 | Classman |
| 64 | Grater |
| 65 | Greaser-cum-Fireman |
| 66 | Grinder |

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|----|--|
| 67 | Hammerman |
| 68 | Helper (Artisan) |
| 69 | Helper (Sawyer) |
| 70 | Keyman |
| 71 | Khalasi (Head Survey, Rivertters-Moplah Gang, Supervisory) |
| 72 | Labourer (Rock-Cutting) |
| 73 | Lascar |
| 74 | Mali (Head) |
| 75 | Stockers and Boilerman |
| 76 | Thoombaman (Spade Worker) |
| 77 | Tindals |
| 78 | Trollyman (Head Motor) |
| 79 | Fitter (Assistant Semi-Skilled) |
| 80 | Jamadar (Semi-Skilled) |
| 81 | Mate (Stone) |
| 82 | Kasab |
| 83 | Khalasi (Structural) |
| 84 | Masalchi P. M. Mates |
| 85 | Miner |
| 86 | Untrained Mate/Mining Mate/Mate without Competency Certificate under Metalliferous Mines Regulations, 1961 |
| 87 | Butler/Cook |
| 88 | Breaker (using mechanical appliances) |
| 89 | Crech Ayah/Ayah/Untrained Crech Attendant |

[illegible]

- 1 Artificer (Class-II, III, IV)
- 2 Blacksmith
- 3 Blacksmith (Class-II)
- 4 Boilerman
- 5 Carpenter
- 6 Carpenter (Class-II) Carpenter-cum-Blacksmith
- 7 Chowdhary
- 8 Driver
- 9 Driver (Engine Tractor, M. T. Motor)
- 10 Electrician
- 11 Fitter
- 12 Mason
- 13 Mason Class-II
- 14 Machine Hand (Class-II, III, IV)
- 15 Machineman
- 16 Mate Gr.-I (Senior)
- 17 Mechanic
- 18 Milk Writer
- 19 Mistry (Head)
- 20 Moulder
- 21 Muster Writer
- 22 Operator (Tube-well)

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[illegible]

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|-----|---|
| 151 | Stone Cutting |
| 152 | Ordinary Machanic |
| 153 | Mechanic |
| 154 | Mechanic (Class-II, Air Conditioning, Air Conditioning Grade-II |
| 155 | Diesel Grade-II |
| 156 | Road Roller Grade-II |
| 157 | Assistant Radio |
| 158 | Manson (Gharami) |
| 159 | Mistry |
| 160 | Mistry Grade-II, Air Conditioning Grade-II, P. Way, Survey, Santras Works |
| 161 | Mason Class-A |
| 162 | Moulder |
| 163 | Moulder (Brick Tile) |
| 164 | Painter |
| 165 | Painter (Selection Grade, Grade-II and III, Class-II, Assistant Lotter and Polisher, Polisher, Rough) |
| 166 | Plasterer |
| 167 | Plasterer (Mason Grade-II) |
| 168 | Plumber |
| 169 | Plumber (Selection Grade, Class-II, Assistant Lotter and Polisher, Rough) |
| 170 | Plasterer |

[illegible]

- 194 Compressor Operator
- 195 Blaster/Shot-firer
- 196 Driver
- 197 Head Cook
- 198 Carpenter
- 199 Concrete Mixer Operator
- 200 Compressor Attendant
- 201 Air Compressor Attendant
- 202 Tractor Driver
- 203 Vehicle Driver
- 204 Chemist and Assistant/Chemist
- 205 Sub-Overseer (Unqualified)
- 206 Driller
- 207 Handhole Driller
- 208 Drill Mechanic
- 209 Driver Auto
- 210 Electrician
- 211 Wirelesss Operator Asstt. Foreman
- 212 Foreman
- 213 Fitter
- 214 Ferry Driver
- 215 Issuer Loco
- 216 Super Foreman

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|-----|---|
| 240 | Stone Crusher Operator |
| 241 | Crusher Operator |
| 242 | Moulder |
| 243 | Welder |
| 244 | Operator |
| 245 | Work Mistry |
| 246 | Engine Driver |
| 247 | Mining Engine Driver Grade-II |
| 248 | Engineman |
| 249 | Valveman |
| 250 | Cutter |
| 251 | Winding Engine Driver Grade-II |
| 252 | Security Guard (Unarmed)/Head Chowkidar |
| 253 | Shovel Operator |
| 254 | Limco Loader Operator |
| 255 | Surface Supervisor |
| 256 | Dozer Operator |
| 257 | Compressor Driller |
| 258 | Dumper Tractor Operator |
| 259 | Boiler Man (with Certificate) |
| 260 | Machinery Attendant |
| 261 | Air Conditions Mechanic |
| 262 | Crech Attendant only in Magnesite, Manganese and Mica Mines |

[illegible]

319 Any other category of employees by whatever name called
which are of skilled nature.

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[illegible]

- 1 Artificier Class-I
- 2 Blacksmith Class-I
- 3 Carpenter Class-I
- 4 Machine
- 5 Hand Class-I
- 6 Mason Class-I
- 7 Mechanic (Senior)
- 8 Painter (Grade-I, Class-I, Spray) Plasterer (Mason) Class-I
- 9 Plumber (Head Class-I)
- 10 Mistry Grade-I
- 11 Polisher (with Spray Grade-I)
- 12 Road Inspector Grade-I
- 13 Sawyer Class-I
- 14 Stone Cutter Class-I
- 15 Stone Cutter Grade-I
- 16 Stone Chisler Class-I
- 17 Stone Mason Class-I
- 18 Sub-Overseer (Qualified)
- 19 Tiler Class-I
- 20 Tinsmith Grade-I and Class-I
- 21 Upholsterer Grade-I
- 22 Varnisher Class-I

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91 Accountant

92 Steno with 7 years of service

93 Store In-charge

94 Shift In-charge

95 Supervisor

96 In-charge of Watch and Ward

97 Security Guard (Armed)

99 Crane Grade-I

100 Diesel Engine Grade-I

101 Dozer Grade-I

102 Clamp Shell Grade-I

103 Compressor Grade-I

104 Grader Grade-I

105 Tractor Grade-I

106 Vibrator Grade-I

107 Screening Plant Grade-I

108 Shovel Grade-I

109 Shovel and Dragline

110 Tyrevulcanser Grade-I

111 Security Guard (with Arms) and other categories by whatever name called which are of Highly-Skilled nature

112 Any other category of employees by whatever name called which are of Highly-Skilled nature.

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**[SINGLE APPLICATION UNDER SUB-SECTION (5) OF SECTION 45]
BEFORE THE AUTHORITY APPOINTED UNDER SUB-SECTION (1)
OF SECTION 45 OF THE CODE ON WAGES, 2019 (29 OF 2019)**

- (1) The applicant(s) whose name(s) appear in the attached schedule was/were/has/have been employed from to as (category) in (establishment) Shri/M/s engaged in (nature of work) which is/are covered by the Code on Wages, 2019.
- (2) The opponent(s) is/are the employer(s) within the meaning of section 2(1) of the Code on Wages, 2019.
- (3) (a) The applicant(s) has/have been paid wages at less than the minimum rates of wages fixed for their category (categories) of employment(s) under the Code by Rs. per day for the period(s) from to
- (a) The applicant(s) has/have not been paid wages at Rs. per day for the weekly days of rest from to
- (b) The applicant(s) has/have not been paid wages at overtime rate(s) for the period from to
- (c) The applicant(s) has/have not been paid wages for period from to

[illegible]

(d) Deductions have been made which are in contravention of the Code, from the wage(s) of the applicant(s) as per details specified in the annexure appended with this application.

(e) The applicant(s) has/have not been paid minimum bonus for the accounting year

(4) The applicant(s) estimate(s) the value of relief sought by him/them on each amount as under,ô

(a) Rs.

(b) Rs.

(c) Rs.

Total Rs.

(5) The applicant(s), therefore, pray(s) that a direction may be issued under section 45(2) of the Code on Wages, 2019 for,ô

(a) payment of the difference between the wages payable under the Code and the wages actually paid ;

(b) payment of remuneration for the days of rest ;

(c) payment of wages at the overtime rates ;

(d) compensation amounting to Rs.

(6) The applicant(s) do hereby solemnly declare(s) that the facts stated in this application are true to the best of his/their knowledge, belief and information.

Dated

Signature or thumb-impression of the employed person(s), or official of a registered trade union duly authorized or Inspector-cum-Facilitator.

Note : The applicant(s), if required, may append annexures containing details, with this application.

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Appeal under section 49(1) of the Code on Wages, 2019 before the Appellate Authority under the Code on Wages, 2019

The appellant further declares that he had not previously filed any appeal, writ petition or suit regarding the matter in respect of which this appeal has been made, before any Court or any other Authority or Appellate Authority nor any such appeal, writ petition or suit is pending before any of them.

EMPLOYEE REGISTER

SI. No.	Employee Code	Name	Surname	Gender	Father's/Spouse Name	Date of Birth	Nationality	Education Level	Date of Joining
1	2	3	4	5	6	7	8	9	10

Designation	Category (HS/S/SS/US)*	Type of Employment	Mobile No.	UAN	PAN	ESIC IP No.	AADHAAR	Bank A/c Number	Bank
11	12	13	14	15	16	17	18	19	20

[illegible]

*(Highly Skilled/Skilled/Semi-Skilled/Unskilled)

WAGE SLIP

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**APPLICATION UNDER SUB-SECTION (4) OF SECTION 56 FOR
COMPOSITION OF OFFENCE**

- Applicant (Name and Signature)

REGD. NO. JKô 33



Vol. 133] Jammu, Tue., the 29th Dec., 2020/8th Pausa, 1942. [No. 39-2

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Notifications, Notices and Orders by the Heads of Departments.

GOVERNMENT OF JAMMU AND KASHMIR
OFFICE OF THE DEPUTY COMMISSIONER, GANDERBAL
(MINI SECRETARIAT COMPLEX, DUDERHAMA)

Dated 29-12-2020.

In pursuance of sub-rule 2(C) of Rule 04 of Jammu and Kashmir, Preparation and Revision of Market Value Guidelines Rules, 2011, the Market Value Guidelines of Urban Plots, Urban built-up Properties and Agricultural Land in District Ganderbal, are hereby notified as per Annexures-Form-I (Market Value Guidelines of Urban plots), Form-II (Market Value Guidelines of Urban built-up Properties) and Form-III (Market Value Guidelines of

2 The J&K Official Gazette, 29th Dec., 2020/8th Pausa, 1942. [No. 39-2
Residential/Commercial/Agricultural/Horticultural Land) in line with the
approval accorded by the Divisional Valuation Board, Kashmir vide their
No. DivCom/LAS-649-IV/7805 dated 24-12-2020.

The Market Value Guidelines so notified shall be valid w. e. f.
01-01-2021 to 31-12-2021 as per SRO-221 dated 18-05-2018 of Finance
Department, Government of J&K.

(Sd.)

District Collector,
Deputy Commissioner, Ganderbal.

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FORM-I

S. No.	Name of the Municipal Committee	Ward No.	Village	Value per Kanals (Rs. in lacs)	
				Residential	Commercial
1.	Srinagar Municipal Corporation	74	Pandach	39.30	54.90
2.		75	Dadinowbugh	14.00	20.60
3.	Ganderbal Municipal Committee	3	Ganderbal	26.90	57.80
4.		01, 02	Beehama	36.20	57.80
5.		09, 10, 11, 12	Saloora Partly	27.10	35.90
6.		13	Bamloora Partly	27.10	35.90
7.		8	Gangarhuma	27.10	34.90
8.		05, 06	Duderhuma	35.70	57.30
9.		7	Fatehpura	26.00	29.70

Note : 1) The escalation in commercial as well as in residential rates is 7% (Approx.) as compared to the rates notified for the year 2020.

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FORM-II

Market Value Guidelines for Urban Built-up Properties

Value of Built-up property per Sq. Mtr. for the year 2021

S. No.	Ward No.	Name of Village	No. of story	Residential				Shops				Offices				Godown					
				A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D		
1	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
1.	Ganderbal		Single	26115	23080	19863	17420	23704	20917	18012	15796	26115	23080	19863	17420	20369	18001	15494	13590		
			Double	40318	34615	30106	25533	0	0	0	0	40318	34615	30106	25533	0	0	0	0		
			Three	55661	47538	40845	35906	0	0	0	0	55661	47538	40845	35906	0	0	0	0		
			Fourth	67820	59137	50023	45741	0	0	0	0	67820	59137	50023	45741	0	0	0	0		
2	Pandach		Single	26115	23080	19863	17420	23704	20917	18012	15796	26115	23080	19863	17420	20369	18001	15494	13590		
			Double	40318	34615	30106	25533	0	0	0	0	40318	34615	30106	25533	0	0	0	0		
			Three	55661	47538	40845	35906	0	0	0	0	55661	47538	40845	35906	0	0	0	0		
			Fourth	67820	59137	50023	45741	0	0	0	0	67820	59137	50023	45741	0	0	0	0		
3	Beehama		Single	26115	23080	19863	17420	23704	20917	18012	15796	26115	23080	19863	17420	20369	18001	15494	13590		
			Double	40318	34615	30106	25533	0	0	0	0	40318	34615	30106	25533	0	0	0	0		
			Three	55661	47538	40845	35906	0	0	0	0	55661	47538	40845	35906	0	0	0	0		
			Fourth	67820	59137	50023	45741	0	0	0	0	67820	59137	50023	45741	0	0	0	0		
4	Salooru Partly		Single	26115	23080	19863	17420	23704	20917	18012	15796	26115	23080	19863	17420	20369	18001	15494	13590		
			Double	40318	34615	30106	25533	0	0	0	0	40318	34615	30106	25533	0	0	0	0		

FORM-III

Market Value Guidelines of Agricultural land for the year 2021

S. No.	Name of Tehsil	Patwari Halqa	Name of the village	Mohalla/ taraf/ etc.	Value per kanal (Rs. in laacs)							remarks	
					Residential	Commercial	Agricultural Horticulture						Unirrigated
							Irrigated	Horticulture	Agricultural	Horticulture			
1	Tullamulla	Tullamulla	Tullamulla	-	18.80	21.40	11.50	12.60	9.70	0	12		
2	Tullamulla	Sehpura	Sehpura	-	15	16.60	11.20	0	9.10	0			
3	Tullamulla	Sehpura	Chundina	-	15	18	9.10	0	7.50	0			
4	Tullamulla	Sehpura	Gogjigund	-	9.60	10.70	9.40	0	6.40	0			
5	Tullamulla	Rabitar Gund	Rabitar Gund	-	10.70	11.80	9.40	0	7.50	0			
6	Tullamulla	Roshan	Roshan	-	10.70	11.80	9.40	0	7.50	0			
7	Tullamulla	Roshan	Devipora	-	10.70	11.80	9.40	0	7.50	0			
8	Tullamulla	Roshan	Korag	-	10.70	11.80	9.40	0	7.50	0			
9	Tullamulla	Roshan	Dumarg	-	10.70	11.80	9.40	0	7.50	0			
10	Tullamulla	Shallabugh	Kokagund	-	17.10	19.30	13.60	0	11.20	0			
11	Tullamulla	Hatbura	Shallabugh	-	17.10	19.30	13.60	0	9.60	0			
12	Tullamulla	Hatbura	Hatbura	-	15	17.10	11.50	0	8.60	0			
13	Tullamulla	Hatbura	Hakimgund	-	15	17.10	11.50	0	10.20	0			
14	Tullamulla	Hatbura	Kastoripora	-	11.80	13.90	11.50	0	8.60	0			
15	Tullamulla	Hatbura	Gundmomin	-	17.10	18.20	12.60	0	10.50	0			
16	Tullamulla	Hatbura	Harran	-	19.30	21.40	17.80	0	16.60	0			

95	Kangan	Hayan Palpora	Hayanpalpora	Hayan	12.80	15	10.60	11.50	6	7.20
96	Kangan	Hayan Palpora	Hayanpalpora	Palpora	12.80	15	10.60	10.90	5.20	7.50
97	Kangan	Hayan Palpora	Hayanpalpora	Ninihama	12.80	15	10.60	9.20	6.90	8.10
98	Kangan	Hayan Palpora	Dard Wooder	Dardwooder	9.30	15	10.60	0	4	4.60
99	Kangan	Hayan Palpora	Vachhama	Vachhama	10.40	12.70	8.10	9.20	6	6.90
100	Kangan	Hayan Palpora	Vachhama	Thakri Pati	10.40	12.70	8.10	6.90	4.60	6.90
101	Kangan	Cherwan	Cherwan	Main Cherwan	15.30	17.70	12.60	8.20	8.20	7.70
102	Kangan	Cherwan	Cherwan	Wooder/Kaw	15.30	17.70	12.60	9.40	4.20	7.70
				Cherwan						
103	Kangan	Cherwan	Margund	Main Margund	15.30	17.70	10.90	5.90	7.20	8.20
104	Kangan	Cherwan	Margund	Wooder	9.40	17.40	5.20	5.80	4	4.60
105	Kangan	Cherwan	Satrina	Main Satrina	15.30	17.70	7.70	10	6.10	7.80
106	Kangan	Cherwan	Satrina	Wooder	9.30	17.40	5.80	6.90	3	3.30
107	Kangan	Kangan	Hardupenzen	--	15	17.40	10.10	10.60	6.90	8.70
108	Kangan	Kangan	Kijpara	--	17.40	24	10.10	10.60	6.90	8.70
109	Kangan	Kangan	Kangan	--	35.10	40.70	19	20.20	14	8.70
110	Kangan	Plang	Plang	--	16.90	22.40	13.30	15.60	9.90	14.60
111	Kangan	Plang	Drugtungo	--	12.50	17.60	10.50	11.20	8	8.40
112	Kangan	Plang	Lari	--	12.50	14.60	10.50	11.20	8	8.40
113	Kangan	Plang	Gundari	--	7.90	10.10	5.10	5.60	3.90	4.50
114	Kangan	Plang	Barwalla	--	12.90	15	10.80	11.50	10.20	8.70

1	2	3	4	5	6	7	8	9	10	11	12
1115	Kangan	Plang	Kachnambal	--	10.20	12.70	8.10	8.60	4.10	4.70	
1116	Kangan	Wussan	Wussan	NHW Road Side	29.50	35.30	19.60	19.50	17.50	17.70	
1117	Kangan	Wussan	Wussan	Bela Wussan	10.90	13.20	7.80	7.80	7.50	7.70	
1118	Kangan	Wussan	Wussan	Gunandar	10.40	12.60	8.40	8.30	7.90	7.10	
1119	Kangan	Wussan	Wussan	Gujarpati Wussan	10.40	12.60	7.30	7.40	7.10	7.30	
120	Kangan	Wussan	Wussan	Pandith Mohalla	10.40	12.60	9.40	10	8.30	9.20	
121	Kangan	Wussan	Wussan	Shah Mohalla	10.40	12.60	7.30	10.40	6.80	7.10	
122	Kangan	Wussan	Wussan	Sheikhpora	12.50	14.70	11	10.60	9.20	10	
123	Kangan	Wussan	Wussan	Dar Mohalla	10.60	16.80	11	10.60	9.50	10.40	
124	Kangan	Wussan	Chinner	NHW Road Side	29.60	35.30	16.50	16.10	11	13.30	
125	Kangan	Wussan	Chinner	Bomie Mohalla	14.70	16.80	11.30	11.20	10.10	11	
126	Kangan	Wussan	Chinner	Rather Mohalla	14.70	16.80	12.30	13.10	10.20	11.20	
127	Kangan	Wussan	Chinner	Main Chinner	14.70	16.80	12.20	13.10	10.20	8.10	
128	Kangan	Akhal	Akhal	Check Akhal	12.70	15.10	11.10	12.40	7.30	7.90	
129	Kangan	Akhal	Akhal	Kunmulla	12.70	15.70	9.80	9.80	6.90	7.40	
130	Kangan	Akhal	Akhal	Gunchi Mohalla	12.70	15.10	4.90	4	4.10	4.10	
131	Kangan	Akhal	Akhal	Batpora Akhal	12.70	15.10	10.80	11	9.30	9.80	
132	Kangan	Akhal	Tangchiter	Tangchiter	15.80	18.20	13	12.10	8.50	7.70	
133	Kangan	Akhal	Nilla Najwan	Nilla Najwan	8.10	10.40	4.90	4.30	4.20	4.50	

(Sd.)

District Collector,
Deputy Commissioner, Ganderbal.



THE
JAMMU AND KASHMIR OFFICIAL GAZETTE

Vol. 133] Jammu, Fri., the 15th Jan., 2021/25th Pausa, 1942. [No. 42-b

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

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GOVERNMENT OF JAMMU AND KASHMIR
LABOUR AND EMPLOYMENT DEPARTMENT

Notification

Jammu, the 15th January, 2021.

S.O.617. The following draft rules, which the Jammu and Kashmir Government proposes to make in exercise of the powers conferred by section 99 of the Industrial Relations Code, 2020 (35 of 2020) read with section 24 of the General Clauses Act, 1897 (10 of 1897) and in supersession of the:

- (i) The Jammu and Kashmir Trade Union Regulations, 1972 ;
- (ii) The Industrial Employment (Standing Orders) Jammu and Kashmir Rules, 1972 ;
- (iii) The Industrial Disputes(Jammu and Kashmir State) Rules, 1972.

Except as respects things done or omitted to be done before such supersession, are hereby notified, as required by sub-section (1) of said section 99, for information of all persons likely to be affected thereby and

notice is hereby given that the said draft notification will be taken into consideration after the expiry of a period of thirty days from the date on which the copies of the Official Gazette in which this notification is published are made available to the public ;

Objections and suggestions, if any, may be addressed to Commissioner Secretary, Labour and Employment, (secyledjk@gmail.com) and Additional Secretary, Labour and Employment Department, Civil Secretariat, J&K.

Objections and suggestions, which may be received from any person with respect to the said draft notification before expiry of the period specified above, will be considered by the Jammu and Kashmir Government.

Draft Rules

CHAPTER I

Preliminary

1. Short title, application and commencement.–

- (i) These rules may be called The Industrial Relation (Jammu and Kashmir) Rules, 2021 ;
- (ii) They extend to the territorial jurisdiction of Jammu and Kashmir ;
- (iii) They shall come into force on the date of their publication in the Official Gazette.

1A. **Definition.** (1) In these rules, unless the context otherwise requires,

- (a) "code" means the Industrial Relations Code, 2020 ;
- (b) "electronically" means any information submitted by email or uploading on the designated portal or digital payment in any mode for the purpose of Code ;
- (c) "form" means a form appended to these rules ;
- (d) "protected workman" means workman as defined in Chapter XIII of these rules ;
- (e) "section" means the section of the Code ;

(f) *ōtribunalō* means industrial tribunal established under this Code by Government of Jammu and Kashmir.

(2) The words and expressions used in these rules which are not defined therein, but are defined in the Code, shall have their respective meaning as assigned to them in the Code.

2. Written Agreement for the settlement before the Conciliation Officer under clause (zi) of section 2. The Agreement under clause (zi) of section 2 for written agreement between the employer and worker shall be in the form specified in (Form-I) and shall be signed by the parties in the agreement and a copy thereof shall be sent to the concerned Conciliation Officer.

CHAPTER II

Bi-Partite Forums

3. Constitution of Works Committee etc. under section 3.

(1) Every employer to whom an order made under sub-section (1) of section 3 relates, shall forthwith proceed to constitute a Works Committee in the manner as is specified in the following sub-rules.

(2) The number of members constituting the Committee shall be fixed so as to afford representation to the various categories, groups and class of workers engaged in, and to the sections, shops or departments of the establishment :

Provided that the total number of members of the Works Committee shall not exceed twenty :

Provided further that the number of representatives of the worker in the Works Committee shall not be less than the number of representatives of the employer therein.

(3) Subject to the provisions of this rule, the representatives of the employer in the Works Committee shall be nominated by the employer and shall, as far as may be possible, be officials in direct touch with or associated with, the working of the industrial establishment.

(4) (a) Where any workers of the industrial establishment are members of a registered Trade Union, the employer shall ask such Trade Union to inform him in writing as to

(i) How many of the workers are members of such Trade Union ; and

(b) Where an employer has reason to believe that the information furnished to him under clause (a) by the registered Trade Union is false, he may, after informing such Trade Union, refer the matter to the Assistant Labour Commissioner having jurisdiction, who shall, after hearing the parties, decide the matter and his decision shall be final.

(5) On receipt of the information called for under sub-rule (4), the employer shall provide for the selection of workers' representative on the Committee in two following groups, namely :

(a) registered Trade Union may choose their representatives as members for works committee in the proportion of their membership ;

(b) where there is no registered Trade union, workers may choose amongst themselves representatives for works committee.

(6) (a) The Works Committee shall have among its office-bearers a Chairman, a Vice-Chairman, a Secretary and a Joint-Secretary. The Secretary and the Joint-Secretary shall be elected every year ;

(b) the Chairman shall be nominated by the employer from amongst the employer's representatives on the Works Committee and he shall, as far as possible, be the head of the industrial establishment ;

(c) the Vice-Chairman shall be elected by the members, on the Works Committee representing the workers, from amongst themselves :

Provided that in the event of equality of votes in the election of the Vice-Chairman, the matter shall be decided by a draw of a lot :

- (d) the Works Committee shall elect the Secretary and the Joint Secretary provided that where the Secretary is elected from amongst the representatives of the employers, the Joint Secretary shall be elected from amongst the representatives of the workers and vice versa :

Provided that the post of the Secretary or the Joint Secretary, as the case may be, shall not be held by a representative of the employer or the worker for two consecutive years :

Provided that the representatives of the employer shall not take part in the election of the Secretary or Joint Secretary, as the case may be, from amongst the representatives of the workers and only the representatives of the workers shall be entitled to vote in such elections.

- (e) In any election under clause (d), in the event of equality of votes, the matter shall be decided by a draw of lot.
- (7) (a) the term of office of the representatives on the Works Committee other than a member chosen to fill a casual vacancy shall be two years ;
 - (b) A member chosen to fill a casual vacancy shall hold office for the unexpired term of his predecessor ;
 - (c) A member who without obtaining leave from the Works Committee, fails to attend three consecutive meetings of the Committee shall forfeit his membership.

(8) In the event of workers' representative ceasing to be a member under clause (c) of sub-rule (7) or ceasing to be employed in the establishment or in the event of his resignation, death or otherwise, his successor shall be chosen in accordance with the provisions of this rule from the same group to which the member vacating the seat belonged.

(9) The Works Committee shall have the right to co-opt in a consultative capacity, persons employed in the industrial establishment having particular or special knowledge of a matter under discussion. Such co-opted member shall not be entitled to vote and shall be present at meetings only for the period during which the particular question is before the Works Committee.

- (10) (a) the Works Committee may meet as often as necessary but not less often than once in three months.
- (b) the Works Committee shall at its first meeting regulate its own procedure.
- (11) (a) the employer shall provide accommodation for holding meetings of the Works Committee. He shall also provide all necessary facilities to the Works Committee and to the members thereof for carrying out the work of the Works Committee. The Works Committee shall ordinarily meet during working hours of the industrial establishment concerned on any working day and the representative of the workers shall be deemed to be on duty while attending the meeting ;
- (b) the Secretary of the Works Committee may with the prior concurrence of the Chairman, put up notice regarding the work of the Works Committee on the notice board of the industrial establishment.

4. Manner of choosing members from the employers and the workers for Grievance Redressal Committee under sub-section (2) of section 4.— The Grievance Redressal Committee shall consist of equal number of members representing the employer and the workers, which shall not exceed ten.

(2) The representatives of the employer shall be nominated by the employer and shall, as far as may be possible, be officials in direct touch with or associated with the working of the industrial establishment, preferably the heads of major departments of the industrial establishment.

(3) The representatives of the workers shall be chosen by the registered Trade Union. In case where there is no registered Trade union the member may be chosen by the workers of the industrial establishment :

Provided that there shall be adequate representation of women workers in the Grievance Redressal Committee and such representation

shall not be less than the proportion of women workers to the total workers employed in the industrial establishment :

Provided further that the tenure of the members of the Grievance Redressal Committee shall be coterminus with the tenure of the members of the registered Trade Union :

Provided further that in the absence of registered Trade Union, the tenure of members of Grievance Redressal Committee shall be for a period of two years from the date of the constitution of the Grievance Redressal Committee.

(4) Where any workers of the industrial establishment are members of a registered Trade Union, the employer shall ask such Trade Union to inform him in writing as to

- (a) how many of the workers are members of such Trade Union ;
- (b) Where an employer has reason to believe that the information furnished to him under clause (a) by the registered Trade Union is false, he may, after informing such Trade Union, refer the matter to the Assistant Labour Commissioner having jurisdiction who shall, after hearing the parties, shall decide the matter and his decision shall be final.

(5) On receipt of the information called for under sub-rule (4), the employer shall provide for the selection of workers' representative on the Committee by two following groups, namely :

- (a) registered Trade Union may choose their representatives as members for Grievance Redressal Committee in the proportion of their membership.
- (b) such workers those who are not member of registered Trade Union, may choose amongst themselves representatives for the Grievance Redressal Committee.

5. Application in respect of any dispute to be filed before the Grievance Redressal Committee by any aggrieved worker under sub-section (5) of section 4. Any aggrieved worker may file an application stating his dispute therein before the Grievance Redressal Committee giving his name, designation, employee Code, Department where posted, length of service in years, category of worker, address for

correspondence, contact number, details of grievances and relief sought. Such application may be sent electronically or otherwise. The Grievance may be raised within one year from the date on which the cause of action of such dispute arises.

6. Manner of filing application for the conciliation of grievance as against the decision of the Grievance Redressal Committee to the conciliation officer under sub-section (8) of section 4. Any worker who is aggrieved by the decision of the Grievance Redressal Committee or whose grievance is not resolved by the said Committee within thirty days of receipt of the application, may file an application through official web Portal of the Labour Commissioner J&K or by registered post or speed post within a period of sixty days from the date of the decision of the Grievance Redressal Committee or from the date on which the period specified in sub-section (6) of section 4 expires, as the case may be, to the conciliation officer through the Trade Union, of which he is a member or otherwise :

Provided that in case of manual receipt of such application through registered post or speed post, the conciliation officer shall get the same digitized and enter the particulars of the application in the online mechanism under intimation to the concerned worker.

CHAPTER III

Trade Unions

7. Payment of subscription under clause (f) of section 7.—

- (i) The payment of a subscription shall be from ordinary as well as honorary members of the trade union ;
- (ii) The ordinary as well as honorary members of the trade union along with any of the permanent citizen of India living in any part of the country can donate towards the general fund of the union electronically or through crossed cheque or draft payable to the union ;
- (iii) The admission subscriptions for the members of the Trade Union shall be Rs. 100/- and monthly subscription shall not be less than Rs. 30/- per member.

8. Safe Custody of the funds of the Trade Union and Annual audit under clause (j) of section 7. (1) The funds of the registered trade union shall be deposited in any scheduled bank in the name of the union :

Provided that 2% of the total funds available with the union shall be kept at the disposal of the two executive members i. e. president,

secretary and cashier for meeting any exigency pertaining to the routine affairs of the said union.

(2) **Auditors.** The annual audit of the accounts of any registered trade union shall be conducted by an auditor authorised to audit the accounts of companies under section 144 (1) of the Indian Companies Act, 1913 or under section 8(2) of the Indian Companies (Amendment) Act.

Exception . Notwithstanding anything contained in these rules, no person, who, at any time during the year, was entrusted with any part of the funds or securities belonging to the Trade Union shall be eligible to audit the accounts of the Union.

(3) **Audit of funds.** The auditor or auditors appointed in accordance with these rules shall be given access to all the books of the Trade Union and shall verify the annual return with the accounts and vouchers relating thereto and shall thereafter sign the auditor's declaration appended in (Form-II), indicating separately on that form under his signature or their signatures a statement showing in what respect he or they find the return to be incorrect, unvouched or not in accordance with the Act. The particulars given in this statement shall indicate :

- (i) every payment which appears to be unauthorised by the rules of Trade Union or contrary to the provisions of the Act ;
- (ii) the amount of any deficiency or loss which appears to have been incurred by the negligence or misconduct of any person ;
- (iii) the amount of any sum which ought to have been but is not brought to account by any person.

(4) Audit of separate fund to be constituted under sub-section (2) of section 15. The audit of the separate fund of a registered Trade Union shall be carried out with the audit of the general account of the Trade Union by the same auditor or auditors.

9. Declaration to be made by an affidavit under clause (a) of sub-section (1) of section 8. Every application under section 8 for registration of a Trade Union shall be accompanied by a declaration to be made by an affidavit in (Form-III).

10. Assets and Liabilities of the Trade Union under sub-section (2) of section 8.—Where a Trade Union has been in existence for more than one year before the making of an application for its registration, there shall be delivered to the Registrar, together with the application, a general statement of assets and liabilities of the Trade Union prepared in (Form-II) annexed to these rules.

11. Register of Trade Union under sub-section (1) and sub-section (3) of section 9.—The Register of Trade Unions as referred to above shall be maintained in (Form-IV).

12. Certificate of Registration—(1) The Certificate of Registration issued by the Registrar under sub-section (2) of section 9 shall be in (Form-V).

13. Cancellation/Withdrawal of Registration under sub-section (5) of section 9. The Registrar on receiving an application for the cancellation/withdrawal of registration shall, before granting the approval, satisfy himself that the withdrawals or cancellation of registrations was approved by the general meeting of the Trade Union, or if it was not so approved, that it has the approval of the majority of the members of the Trade Union. For this purpose, he may call for such further particulars, as he may deem necessary and may examine any officer of the Union.

14. Appeal under sub-section (1) of section 10. Any appeal made under sub-section (1) of section 10 of the Act must be filed within sixty days of the date on which the Registrar passed the order against which the appeal is made.

15. Communications and Notices to a Registered Trade Union under sub-section (1) of section 11. All the communications and notices to a registered trade union shall be sent electronically or through registered post or speed post, or manually under proper receipt.

16. Change in the particulars as per sub-section (3) of section 11.ô The Trade Union shall inform the Registrar of any change in the particulars given in the application for registration and in its constitution or rules electronically or through registered post or speed post, or manually under proper receipt.

17. (1). Matters to be negotiated by a negotiating union or negotiating counsel in an industrial establishment under sub-section (1) of section 14.—(1) There shall be a negotiating union or negotiating counsel as the case may be in an industrial establishment having registered trade union for negotiating with the employer of the industrial establishment on the following matters :ô

1. Classification of workers, whether permanent, temporary, apprentices, probationers, badlis or fixed term employment ;
2. Manner of intimating to workers periods and hours of work, holidays, pay-days and wage rates ;
3. Shift working ;
4. Attendance and late coming ;
5. Conditions of, procedure in applying for, and the authority which may grant leave and holidays ;
6. Requirement to enter premises by certain gates, and liability to search ;
7. Closing and reporting of sections of the industrial establishment, temporary stoppages of work and the rights and liabilities of the employer and workers arising therefrom ;
8. Termination of employment, and the notice thereof to be given by employer and workers ;
9. Suspension or dismissal for misconduct, and acts or omissions which constitute misconduct ;

10. Means of redress for workers against unfair treatment or wrongful exactions by the employer or his agents or servants ;
11. Any other matter which may be specified by the appropriate Government by notification.

(2) Criteria to recognize Trade Union as sole negotiating union of the workers under sub-section (2) of section 14. Where only one Trade Union of workers registered under the provisions of this Code is functioning in an industrial establishment, then, the employer of such industrial establishment shall recognise such Trade Union as sole negotiating union of the workers subject to the criteria that such registered Trade Union of workers shall at all times continue to have not less than ten per cent of the workers or one hundred workers, whichever is less, subject to a minimum of seven, engaged or employed in an industrial establishment or industry with which it is connected, as its members.

(3) Verification of a Trade Union by the employer of the industrial establishment under sub-section (3) and sub-section (4) of section 14.—

- a. If more than one Trade Union of workers registered under this Code are functioning in an industrial establishment, then, the Trade Union having fifty-one per cent or more workers on the muster roll of that industrial establishment, after duly verified by a committee consisting of equal number of members from the management of establishment and the members of the registered Trade Unions functioning in that establishment, supporting that Trade Union shall be recognised by the employer of the industrial establishment, as the sole negotiating union of the workers ;
- b. If after verification as mentioned in clause (a), it is established that no such Trade Union has fifty-one per cent or more of workers on the muster roll of that industrial establishment, then, there shall be constituted by the employer of the industrial establishment, a negotiating council for negotiation on the matters referred to in sub-rule (1) consisting of the representatives of such registered Trade Unions which have the support of not less than twenty per cent of the total

workers on the muster roll of that industrial establishment so verified and such representation shall be of one representative for each twenty per cent and for the remainder after calculating the membership on each twenty per cent.

(4) Facilities to be provided by the Industrial Establishment under sub section 7 of section 14.ô The industrial establishment shall provide following facilities to a negotiating union or negotiating council :ô

- i. Office accommodation ;
- ii. Secretariat assistance ;
- iii. May declare the executive members of the negotiating Trade Union and members of the negotiating council as protected workman.

18. Utilization of the general funds of a Trade Union under sub-section (1) of section 15.—The general funds of a registered Trade Union shall not be spent on any objects other than specified belowô

- (a) the payment of salaries, allowances and expenses to office-bearers of the Trade Union ;
- (b) the payment of expenses for the administration of the Trade Union, including audit of the accounts of the general funds of the Trade Union ;
- (c) the prosecution or defence of any legal proceeding to which the Trade Union or any member thereof is a party, when such prosecution or defence is undertaken for the purpose of securing or protecting any rights of the Trade Union as such or any rights arising out of the relations of any member with his employer or with a person whom the member employs ;
- (d) the conduct of trade disputes on behalf of the Trade Union or any member thereof ;
- (e) the compensation of members for loss arising out of trade disputes ;
- (f) allowances to members or their dependants on account of death, old age, sickness, accidents or unemployment of such members ;

- (g) the issue of, or the undertaking of liability under, policies of assurance on the lives of members, or under policies insuring members against sickness, accident or unemployment ;
- (h) the provision of educational, social or religious benefits for members (including the payment of the expenses of funeral or religious ceremonies for deceased members) or for the dependants of members ;
- (i) the upkeep of a periodical published mainly for the purpose of discussing questions affecting employers or workmen as such ; and
- (j) the payment, in furtherance of any of the objects on which the general funds of the Trade Union may be spent, of contributions to any cause intended to benefit workmen in general, provided that the expenditure in respect of such contributions in any financial year shall not at any time during that year be in excess of one-fourth of the combined total of the gross income which has up to that time accrued to the general funds of the Trade Union during that year and of the balance at the credit of those funds at the commencement of that year.

19. Constitution of a separate fund under sub-section (2) of section 15.—(1) A registered Trade Union may constitute a separate fund, from contributions separately levied for or made to that fund, from which payments may be made, for the promotion of the civic and political interests of its members, in furtherance of any of the objects specified in sub-rule (2).

- (2) The objects referred to in sub-rule (1) are :
 - (a) the payment of any expenses incurred, either directly or indirectly, by a candidate or prospective candidate for election as a member of any legislative body constituted under 2 [the Constitution] or of any local authority, before, during, or after the election in connection with his candidature or election ; or

- (b) the holding of any meeting or the distribution of any literature or documents in support of any such candidate or prospective candidate ; or
- (c) the maintenance of any person who is a member of any legislative body constituted under the Constitution or of any local authority ; or
- (d) the registration of electors or the selection of a candidate for any legislative body constituted under the Constitution or for any local authority ; or
- (e) the holding of political meetings of any kind, or the distribution of political literature or political documents of any kind.

(3) No member shall be compelled to contribute to the fund constituted under sub-rule (1) and a member who does not contribute to the said fund shall not be excluded from any benefits of the Trade Union, or placed in any respect either directly or indirectly under any disability or at any disadvantage as compared with other members of the Trade Union (except in relation to the control or management of the said fund) by reason of his not contributing to the said fund and contribution to the said fund shall not be made a condition for admission to the Trade Union.

20. Subscriptions payable by the members of the Trade Union under sub-section (4) of section 15.—The admission subscriptions for the members of the Trade Union shall be Rs. 100/- and monthly subscription shall not be less than Rs. 30/- per member.

21. Application for adjudication before Industrial Tribunal under sub-section (1) of section 22.— A registered Trade Union shall apply in writing for adjudication before Industrial Tribunal with regard to any trade dispute for its determination under the provisions of this code in person or through authorized representatives of the Trade Union within a period of sixty days from occurrence of such dispute.

22. Manner of Amalgamation of Trade Unions under sub-section (2) of section 24. (1) Any two or more registered Trade Unions may become amalgamated together as one Trade Union with or without dissolution or division of the funds of such Trade Unions or either or any of them, provided that the votes of at least one-half of the

members of each or every such Trade Union entitled to vote are recorded, and that at least sixty per cent of the votes recorded are in favour of the proposal.

2. Notice of change of name or amalgamation.—(1) Notice in writing of every change of name and of every amalgamation, signed, in the case of a change of name, by the Secretary and by seven members of the Trade Union changing its name, and, in the case of an amalgamation, by the Secretary and by seven members of each and every Trade Union which is a party thereto, shall be sent to the Registrar, and where the head office of the amalgamated Trade Union is situated in a different State, to the Registrar of such State.

(2) The Registrar of the State in which the head office of the amalgamated Trade Union is situated shall, if he is satisfied that the provisions of this Act in respect of amalgamation have been complied with and that the Trade Union formed thereby is entitled to registration under section 6, register the Trade Union in the manner provided in section 6, and the amalgamation shall have effect from the date of such registration.

(3) Effects of change of name and of amalgamation.—(1) The change in the name of a registered Trade Union shall not affect any rights or obligations of the Trade Union or render defective any legal proceeding by or against the Trade Union, and any legal proceeding which might have been continued or commenced by or against it by its former name may be continued or commenced by or against it by its new name.

(2) An amalgamation of two or more registered Trade Unions shall not prejudice any right of any of such Trade Unions or any right of a creditor of any of them.

23. Funds of a dissolved Trade Union under sub-section (2) of section 25.—Where it is necessary for the Registrar under section 25 to distribute the funds of a Trade Union which has been dissolved, he shall divide the funds in proportion to the amounts contributed by the members by way of subscription during their membership.

24. Annual returns under clause (a) sub-section (1) of section 26.—The annual return to be furnished under section 26 shall be submitted to the Registrar by the 31st day of July in each year and shall be in (Form-II).

25. Recognition of the State Trade Union at the State Level under sub-section (2) of section 27.—Where the Government of Jammu and Kashmir is of the opinion that it is necessary or expedient that a Trade Union or federation of Trade Unions is to be recognised as State Trade Union at the State/UT level, it may recognise such Trade Union or federation of Trade Unions as State Trade Union by issuing a notification in the Official Gazette containing the purpose of such recognition, and if any dispute arises in relation to such recognition, it shall be decided by the Industrial Tribunal constituted under sub-section (1) of section 44 after an application in this regard is filed before the Industrial Tribunal by a federation of unions having atleast 10 registered unions as its members subject to a minimum membership of 1000 workers.

CHAPTER IV

Standing Orders

26. Manner of forwarding information to certifying officer under sub-section (3) of section 30. (1) If the employer adopts the model standing order of the Central Government referred to in section 29 with respect to matters relevant to his industrial establishment or undertaking, then, he shall intimate the concerned certifying officer electronically the specific date from which the provisions of the model standing order which are relevant to his establishment have been adopted.

(2) On receipt of information in sub-rule (1) the certifying officer within a period of thirty days from such receipt may give his observation that the employer is required to include certain provisions which are relevant to his establishment and indicate those relevant provisions of the model standing orders which have not been adopted and shall also direct the employer to amend the standing order so adopted, by way of addition, deletion or modification within a period of thirty days from the date of the receipt of such direction and ask for compliance report only in respect of provisions which the certifying officer seeks to get so amended and such report shall be sent electronically by the employer.

(3) If no observation is made by certifying officer within a period of thirty days of the receipt of the information as specified in sub-rule (1) and (2), then, the standing order shall be deemed to have been adopted by the employer.

27. Manner of choosing representatives of workers of the industrial establishment or undertaking for issuing notice by

certifying officer where there is no Trade Union operating, under clause (ii) of sub-section (5) of section 30. ô Where there is no such Trade Union as is referred to in clause (i) of said sub-section (5), then, the certifying officer shall call a meeting of the workers to choose three representatives, to whom he shall, upon their being chosen, forward a copy of the standing order requiring objections, if any, which the workers may desire to make to the draft standing order to be submitted within fifteen days from the receipt of the notice.

28. Manner of authentication of certified standing orders under sub-section (8) of section 30.ô Standing orders or modification in the standing orders, certified in pursuance of sub-section (8) of section 30 or the copies of the order of the appellate authority under sub-section (1) of section 33 shall be authenticated by the certifying officer or the appellate authority, as the case may be, and shall be sent electronically within a week to all concerned, but there shall not be any requirement of certification in cases of deemed certification under sub-section (3) of section 30 and in cases where the employer has certified adoption of model standing orders.

29. Statement to be accompanied with draft standing orders under sub-section (9) of section 30-A statement to be accompanied withô

- (i) draft standing order shall contain, the particulars such as name of the industrial establishment or undertaking concerned, address, e-mail address, contact number and strength and details of workers employed therein including particulars of Trade union to which such workers belong ; and
- (ii) draft modification in the existing standing orders, shall contain the particulars of such standing orders which are proposed to be modified along with a tabular statement containing details of each of the relevant provision of standing order in force and proposed modification therein and reasons thereof and such statement shall be signed by a person authorized by the industrial establishment or undertaking.

30. Conditions for submission of draft standing order in similar establishment under sub-section (10) of section 30.ô In cases of group of employer engaged in similar industrial establishment may submit a joint draft standing order under section 30 and for the

purpose of proceedings specified in sub-sections (1), (5), (6), (8) and (9) thereof after consultation with the concerned Trade Union :

Provided that the joint draft standing orders, in cases of group of employers engaged in similar industrial establishments, will be drafted and submitted to the Labour Commissioner, Jammu and Kashmir who shall, in consultation with the concerned certifying officers, certify or refuse to certify the said joint draft standing order, after recording reasons therefor.

31. Manner of disposal of appeal by appellate authority under section 32. (1) An employer or Trade Union desirous of preferring an appeal against the order of the certifying officer given under sub-section (5) of section 30 shall within sixty days of the receipt of such order shall draw up a memorandum of appeal in tabular form stating therein the provisions of the standing orders which are required to be altered or modified or deleted or added and reasons thereof and shall be filed electronically to the appellate authority.

(2) The appellate authority shall fix a date for the hearing of the appeal and direct notice thereof to be given

- (a) where the appeal is filed by the employer or a worker, to Trade Union of the workers of the industrial establishment or to the representative body of the workers concerned or to the employer, as the case may be ;
- (b) where the appeal is filed by a Trade Union, to the employer and all other Trade Unions of the workers of the industrial establishment ; and
- (c) where the appeal is filed by the representative of the workers, to the employer and any other worker whom the appellate authority joins as a party to the appeal.

(3) The appellant shall furnish each of the respondents with a copy of the memorandum of appeal.

(4) The appellate authority may at any stage of the proceeding call for any evidence, if it considers necessary for the disposal of the appeal.

(5) On the date fixed under sub-rule (2) for the hearing of the appeal, the appellate authority shall take such evidence as it may have

called or consider to be relevant if produced and after hearing the parties dispose of the appeal.

32. The language and the manner of maintaining standing order under sub-section (1) and (2) of section 33.ô (1) The standing order finally certified by certifying officer shall be sent electronically except in the case of deemed certification under section 30.

(2) The text of the standing order as finally certified or deemed to have been certified or adopted model standing order under this Chapter shall be maintained by the employer in English and in Hindi or Urdu or in any other official language of Jammu and Kashmir as the case may be.

33. Register for final certified copy of Standing Order under section 34.ô (1) The certifying officer shall maintain electronically, a register of all standing orders certified or deemed to have been certified or adopted model standing orders of all the concerned industrial establishments, inter-alia, containing the details ofô

- (a) the unique number assigned to each standing order ;
- (b) name of industrial establishment ;
- (c) nature of industrial establishment ;
- (d) date of certification or deemed certification or date of adoption of model standing order by each establishment or undertaking ;
- (e) the areas of the operation of the industrial establishment ; and
- (f) such other details as may be relevant and helpful in retrieving the standing orders and create a data base of such of all standing orders.

(2) The certifying officer shall furnish a copy of the certified standing orders or deemed certifying orders to any person applying there for on payment of two rupees per page of the certified standing orders

or deemed certified standing orders, as the case may be. The payment for such purpose can also be made through electronic mode.

34. Application for modification of Standing Order under sub-section (2) of section 35.ô The application for modification of an existing standing order under sub-section (2) of section 35 shall be submitted electronically and contain the particulars of such standing orders which are proposed to be modified along with a tabular statement containing details of each of the relevant provisions of standing order in force, and proposed modifications therein, reasons thereof and the details of registered Trade Union(s) operating therein, and such statement shall be signed by a person authorized by the industrial establishment or undertaking.

CHAPTER V

Notice of change

35. The manner of giving of notice for change proposed to be effected under clause (i) of section 40.ô (1) Any employer intending to effect any change in the conditions of service applicable to any worker in respect of any matter specified in the Third Schedule to the Code, shall give notice in (Form-VI) to such worker affected by such change.

(2) The notice referred in sub-rule (1) shall be displayed conspicuously by the employer on the notice board at the main entrance of the industrial establishment and the office of the concerned Manager of the industrial establishment :

Provided that where there is a registered Trade Union or registered Trade Unions relating to the industrial establishment a copy of such notice shall also be served on the Secretary of such Trade Union or each of the Secretaries of such Unions, as the case may be.

CHAPTER VI

Voluntary Reference of Disputes to Arbitration

36. Form of arbitration agreement and the manner thereof under sub-section (3) of section 42.ô (1) Where the employer and workers agree to refer the dispute to arbitration, the Arbitration

Agreement shall be in (Form-VII) and shall be signed by the parties to the agreement. The agreement shall be accompanied by the consent either in writing or electronically of arbitrator or arbitrators.

(2) The Arbitration Agreement referred to in sub-rule (1) shall be signed

- (i) In case of an employer, by the employer himself, or when the employer is an incorporated company or other body corporate, by the agent, manager or other officer of the corporation authorized for such purposes ;
- (ii) In the case of the workers by the officer of the registered Trade Union authorized in this behalf or by three representatives of the workers duly authorized in this behalf at a meeting of the concerned workers held for such purpose ;
- (iii) In the case of an individual worker, an individual worker by the worker himself or by an officer of registered Trade Union of which the worker is a member.

Explanation:—(1) In this rule, the expression 'officer' means any officer of a registered Trade Union or an association of the employer authorized for such purpose ;

(2) In this rule officer 'means any of the following officers, namely:

- (a) the President ;
- (b) the Vice-President ;
- (c) the Secretary (including the General Secretary) ;
- (d) a Joint Secretary ; and
- (e) any other officer of the Trade Union authorized in this behalf by the President and Secretary of the union.

37. Manner of issue of notification under sub-section (5) of section 42. Where an industrial dispute has been referred to arbitration and the Jammu and Kashmir Government is satisfied that the persons making the reference represent the majority of each party, it shall publish a notification in this behalf in the Official Gazette and electronically for

the information of the employers and workers who are not parties to the arbitration agreement but are concerned in the dispute and they may present their case before the arbitrator or arbitrators appointed for such purpose.

38. Manner of choosing representatives of workers where there is no Trade Union under sub-section (5) of section 42. Where there is no Trade Union, the representative of workers to present their case before the arbitrator or arbitrators in pursuance of clause (c) of the proviso to sub-section (5) of section 42, shall be chosen by a resolution passed by the majority of concerned workers in (Form-VIII) authorizing therein to represent the case. Such workers shall be bound by the acts of representatives who have been authorized to represent before the arbitrator or arbitrators, as the case may be.

CHAPTER VII

Mechanism for Resolution of Industrial Disputes

39. Terms and conditions of service of the office of the Judicial Member and the Administrative Member of the Tribunal constituted by the Government of Jammu and Kashmir and Sub-section (1) of section 44.—(1) The Judicial member shall be appointed by the Jammu and Kashmir Government and the person so appointed shall not be qualified for such appointment unless

- (a) he is, or has been, a Judge of High Court ; or
- (b) he has for a period of not less than three years, been a district Judge or an additional Judge ;
- (c) Every person appointed as Judicial Member shall, before entering upon his office, make and subscribe an oath of office and secrecy in the (Form-IX) annexed to these rules.

(2) The Administrative Member of the Tribunal shall be appointed by the Jammu and Kashmir Government from the persons who having held the post not below the rank of Joint Secretary to Government of India or an equivalent rank in the Central Government or Jammu and Kashmir Government

- (a) Every person appointed as Administrative Member shall, before entering upon his office, make and subscribe an oath of office and secrecy in the (Form-IX) annexed to these rules.

(3) The salaries and allowances, resignation, removal and other terms and conditions of the Judicial/Administrative Member so appointed shall be the same as are applicable to them in their respective Cadres of service.

(4) The Jammu and Kashmir Government shall fill vacancy under sub-section (9) of section 44 in Industrial Tribunal arising out of retirement, transfer, dismissal or any other reason in accordance with these rules.

40. Manner of holding conciliation proceedings under sub-section (1), full report under sub-section (4), and application and the manner of deciding such application under sub-section (6) of section 53. (1) Where any industrial dispute exists or is apprehended or a notice under section 62 has been given, the conciliation officer on receipt of such application shall examine the application and if he finds that the dispute pertains to the jurisdiction of Central Government shall transfer the dispute to the concerned authority. In other cases, he will issue first notice to the parties concerned declaring his intention to commence conciliation proceedings,

- (i) The employer or the workers representative in the first meeting shall submit their respective statement in the matter of said dispute ;
- (ii) The conciliation officer shall hold conciliation proceedings for the purpose of bringing about a settlement of the dispute and may do all such things as he thinks fit for the purpose of inducing the parties to come to a fair and amicable settlement.

(2) If no such settlement is arrived at in the conciliation proceeding referred to in sub-rule (1), the conciliation officer shall submit a report electronically or in any other form to the concerned parties and the Government of Jammu and Kashmir within seven days from the date on which the conciliation proceedings are concluded.

(3) The report referred to in sub-rule (2) shall be accessible or provided to the parties concerned.

(4) The report referred to in sub-rule (2) shall contain inter-alia the submissions of the employer, worker or Trade union, as the case may be, and it shall also contain the efforts made by the conciliation officer to bring the parties to the amicable settlement, reasons for refusal of the

parties to resolve the dispute and the conclusion of the conciliation officer.

(5) Any dispute which is not settled during the conciliation proceedings, then, either of the concerned party may make an application in (Form-X), before the Industrial Tribunal within ninety days from the date of the report under sub-rule (2).

(6) In case of an industrial dispute which has not been settled during the conciliation proceedings, an application may be made before the Tribunal by either of the parties concerned for adjudication. The Tribunal shall direct the party raising the dispute to file a statement of claim with complete details along with relevant documents, list of supporting documents and witnesses within thirty days from the date on which application is filed.

(7) The Tribunal after ascertaining that the copies of statement of claim and other related documents are furnished to the other side by the party raising the dispute, the Tribunal shall fix the first hearing as soon as possible and within a period of one month from the date of receipt of the application. The opposite party or parties shall file their written statement together with supporting documents and the list thereof and list of witnesses, if any, within a period of thirty days from the date of first hearing and simultaneously forward a copy thereof to the opposite party or parties for service.

(8) Where the Tribunal finds that the party raising the dispute, despite its directions, did not forward the copy of the statement of claim and other documents to the opposite party or parties, it shall give directions to the concerned party to furnish the copy of the statement to the opposite party or parties, granting extension of fifteen days for filing the statement, if the Tribunal finds sufficient cause for not filing the statement of claim and other documents within time.

(9) Evidence shall be recorded either in Tribunal or, as the case may be filed on affidavit but in the case of affidavit the opposite party shall have the right to cross-examine each of the deponents filing the affidavit. Where the oral examination of each witness proceeds, the Tribunal shall make a memorandum of the substance of what is being deposed. While recording the oral evidence the Tribunal shall follow the procedure laid down in rule 5 of Order XVIII of the First Schedule to the Code of Civil Procedure, 1908 (5 of 1908).

(10) On completion of evidence, arguments may be heard immediately or a date may be fixed for arguments, which shall not be beyond a period of fifteen days from the closure of evidence.

(11) The Tribunal shall not ordinarily grant an adjournment for a period exceeding a week at a time, but not in any case more than three adjournments in all, at the instance of the parties to the dispute, shall be granted :

Provided that the Tribunal for reasons to be recorded in writing, grant an adjournment exceeding a week at a time but not in any case more than three adjournments, at the instance of any one of the parties to the dispute, shall be granted.

(12) In case any party defaults or fails to appear at any stage, the Tribunal may proceed with the case *ex-parte*, and decide the application in the absence of the defaulting party :

Provided that the Tribunal may on the application of either party filed before the submission of the award, revoke the order that the case shall proceed *ex parte*, if it is satisfied that the absence of the party was on justifiable grounds, and proceed further to decide the matter as contested.

(13) The Tribunal shall communicate its Award electronically to the parties concerned and the Jammu and Kashmir Government within one month from the date of the pronouncement of the award.

(14) The Tribunal may summon and examine any person whose evidence appears to it to be material for deciding the case and shall be deemed to be a civil court within the meaning of sections 345, 346 and 348 of the Code of Criminal Procedure, 1973 (1 of 1974).

(15) Where assessors are appointed to advise a Tribunal under subsection (5) of section 49 in relation to proceeding before it, the Tribunal shall obtain the advice of such assessors, but such advice shall not be binding on such Tribunals.

(16) A party in an award, who wants to obtain a copy of the award or other document, may obtain a copy of the award or other document

after depositing the fee electronically in the Tribunal in the following manner, namely :ô

- (a) fee for obtaining a copy of an award or the document filed in any proceedings of Tribunal be charged at the rate of Re. Two per page ;ô
- (b) For certifying a copy of any such award or order or document, a fee of Re. Two per page shall be payable ;
- (c) Copying and certifying fees shall be payable electronically ;
- (d) Where a party applies for immediate delivery of a copy of any such award or document, an additional fee equal to one-half of the fee leviable under this rule shall be payable.

(17) The representatives of the parties appearing before a Tribunal shall have the right of examination, cross-examination and of addressing the Tribunal when evidence has been called.

(18) The proceedings before Tribunal shall be held in open court :

Provided that the Tribunal may direct any proceeding before it to be held by video conferencing :

Provided further that Tribunal may at any stage direct that any witness shall be examined or its proceedings be held in camera.

CHAPTER VIII

Strikes and Lock-outs

41. Number of persons by whom the notice of strike shall be given, the person or persons to whom such notice shall be given and the manner of giving such notice under sub-section (4) of section 62.ô The notice of strike referred to in sub-section (1) of section 62 shall be given to the employer of an industrial establishment in (Form-XI) which shall be duly signed by the Secretary and five elected representatives of the registered Trade Union relating to such industrial establishment endorsing the copy thereof electronically or otherwise to the Jammu and Kashmir Government, Labour Commissioner, Jammu and Kashmir, concerned Deputy Labour Commissioner and concerned Conciliation Officer.

42. Manner of giving notice of lock-out under sub-section (5) and authority under sub-section (6) of section 62.ô (1) The notice of lock-out referred to in sub-section (2) of section 62 shall be given by

the employer of an industrial establishment in (Form-XII) to the Secretary of every registered Trade Union relating to such industrial establishment endorsing a copy thereof electronically or otherwise to the Jammu and Kashmir Government, Labour Commissioner, Jammu and Kashmir, concerned Deputy Labour Commissioner and concerned Conciliation Officer. The notice shall be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance to the industrial establishment.

(2) If the employer of an industrial establishment receives from any person employed by him any notice of strike as referred to in sub-section (1) of section 62 then he shall within five days from the date of receiving of such notice, intimate the same electronically or otherwise to the Labour Commissioner, Jammu and Kashmir, Concerned Deputy Labour Commissioner and concerned Conciliation Officer.

(3) If the employer gives to any person employed by him a notice of lock-out, then he shall within five days from the date of such notice, intimate electronically or otherwise to the Labour Commissioner, Jammu and Kashmir, Concerned Deputy Labour Commissioner and concerned Conciliation Officer.

CHAPTER IX

Lay-off, Retrenchment and Closure

43. Manner of serving notice before retrenchment of the worker under clause (c) of section 70. If any employer desires to retrench any worker employed in his industrial establishment who has been in continuous service for not less than one year under him then, such employer shall give notice of such retrenchment, in (Form-XIII) to the Jammu and Kashmir Government, Labour Commissioner, J&K, Deputy Labour Commissioner/concerned Assistant Labour Commissioner having jurisdiction through e-mail or, by registered or speed post.

44. Manner of giving an opportunity for re-employment to the retrenched workers under section 72. Where any vacancy occurs in an industrial establishment and there are workers of such industrial establishment retrenched within one year prior to the proposal for filling up such vacancy, then, the employer of such industrial establishment shall offer an opportunity at least 10 days before by registered post or speed

post and through e-mail to such retrenched workers who are citizens of India. If such workers give their willingness for employment then, the employer shall give them preference over other persons in filling up of such vacancy.

45. Manner of serving notice by the employer for intended closure under sub-section (1) of section 74.ô If an employer intends to close down an industrial establishment he shall give notice of such closure in (Form-XIII) to the Jammu and Kashmir Government and a copy thereof to the Labour Commissioner, J&K, Deputy Labour Commissioner/concerned Assistant Labour Commissioner having jurisdiction by e-mail or registered post or speed post.

CHAPTER X

Special Provisions relating to lay-off, Retrenchment and closure in certain Establishments

46. Manner of making application to the Jammu and Kashmir Government by the employer for the intended lay-off and the manner of serving copy of such application to workers under sub-section (2) of section 78.ô An application for permission under sub-section (1) of section 78 shall be made by the employer in (Form-XIV) stating clearly therein the reasons for the intended lay off and a copy of such application shall be served simultaneously to the worker concerned electronically and by registered post or speed post. Such application shall also be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance of the industrial establishment.

47. Manner for applying for permission from the Jammu and Kashmir Government to continue the lay-off under sub-section (3) of section 78.ô The employer shall in case of an industrial establishment being a mine specified in sub-section (3) of section 78 where the workers (other than Badli workers or casual workers) have been laid-off under sub-section (1) of section 78 for reasons of fire, flood or excess of inflammable gas or explosion, within a period of thirty days from the date of commencement of such lay-off, apply to the Jammu and Kashmir Government in (Form-XIV) electronically and by registered or speed post with a copy to the Labour Commissioner, J&K, Deputy Labour Commissioner/concerned Assistant Labour Commissioner having jurisdiction for permission to continue the lay-off specifying the number of

days ; intimating the number of workers to be laid off, the total number of workers employed in the industrial establishment, the date of lay off and the reasons for continuation of such lay off.

48. Time-limit for review under sub-section (7) of section 78.ô The Jammu and Kashmir Government may, either on its own motion or on the application made by the employer or any worker, review its order granting or refusing to grant permission under sub-section (4) of the section 78 within a period of thirty days from the date on which such order is made.

49. Manner of making application to the Jammu and Kashmir Government by the employer for the intended retrenchment and manner of serving copy of such application to workers under sub-section (2) of section 79.ô An application for permission referred to in sub-section (1) of section 79 shall be made by the employer in (Form-XIV) stating clearly therein the reasons for the intended retrenchment electronically and a copy of such application shall also be sent to workers electronically and by registered post or speed post. Such application shall also be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance to the industrial establishment.

50. Time-limit for review under sub-section (6) of section 79.ô The Jammu and Kashmir Government may, either on its own motion or on the application made by the employer or any worker, review its order granting or refusing to grant permission under sub-section (3) of section 79 within a period of thirty days from the date on which such orders is made.

51. Manner of making application to the Jammu and Kashmir Government by the employer for intended closing down of an industrial establishment and the manner of serving copy of such application to the representatives of workers under sub-section (1) of section 80.ô An employer who intends to close down an industrial establishment to which Chapter X of the Code applies shall apply electronically in (Form-XIV) for prior permission at least ninety days

before the date on which intended closure is to become effective to the Jammu and Kashmir Government, stating clearly therein the reasons for the intended closure of the industrial establishment and simultaneously a copy of such application shall also be sent to the representatives of the workers electronically and by registered post or speed post.

52. Time-limit for review under sub-section (5) of section 80. The Jammu and Kashmir Government may, either on its own motion or on the application made by the employer or any worker, review its order granting or refusing to grant permission under sub-section (2) of section 80 within a period of thirty days from the date on which such order is made.

CHAPTER XI

Worker re-skilling Fund

53. Manner of utilization of fund under sub-section (3) of section 83. Every employer who has retrenched a worker or workers under this Code, within ten days, at the time of retrenching a worker or workers shall electronically transfer an amount equivalent to fifteen days of last drawn wages of such retrenched worker or workers in the account (name of the account shall be displayed on the official website of Labour and Employment Department and Labour Commissioner Jammu and Kashmir). The fund so received shall be transferred by the Jammu and Kashmir Government to each worker or workers' account electronically within forty five days of receipt of funds from the employer and the worker shall utilize such amount for his re-skilling. The employer shall also submit the list containing the name of each worker retrenched the amount equivalent to fifteen days of wages last drawn in respect of each worker along with their bank account details to enable the Jammu and Kashmir Government to transfer the amount in their respective account.

CHAPTER XII

Offences and Penalties

54. Manner of composition of offence by a Gazetted Officer specified under sub-section (1) of section 89 and the manner of making application for the compounding of an offence specified under sub-section (4) of section 89.ô (1) The officer notified by

the Jammu and Kashmir Government for the purposes of compounding of offences under sub-section (1) of section 89 (hereinafter referred to as the compounding officer), shall in the offences in which prosecution is not instituted, if the compounding officer is of the opinion that any offence under the Code for which the compounding is permissible under section 89, he shall send a notice through electronically registered post or speed post or manually under proper receipt to the accused in (Form-XV) consisting of three Parts. In Part I of such Form, the compounding officer shall *inter-alia* specify the name of the offender and his other particulars, the details of the offence and in which section the offence has been committed, the compounding amount required to be paid towards the composition of the offence. Part II of the Form shall specify the consequences, if the offence is not compounded and part III of the Form shall contain the application to be filed by the accused if he desires to compound the offence. Each notice shall have a continuous unique number containing alphabets or numeric and other details such as officer sending notice, year, place, type of inspection for the purpose of easy identification.

(2) The accused to whom the notice referred to in sub-rule (1) is served, may send the Part III of the Form duly filled by him to the compounding officer electronically and deposit the compounding amount electronically or otherwise, within fifteen days of the receipt of the notice, in the account specified by the compounding officer in the notice.

(3) Where the prosecution has already been instituted against the accused in the competent Court, he may make an application to the Court to compound the offence against him and the Court, after considering the application, may allow composition of the offence by the compounding officer in accordance with provisions of section 89.

(4) If the accused complies with the requirement of sub-rule (2), the compounding officer shall compound the offence for the amount of money deposited by the accused and

- (a) if the offence is compounded before the prosecution, then no complaint for prosecution shall be instituted against the accused ; and
 - (b) if the offence is compounded after institution of prosecution under sub-rule (3) with the permission of the Court, then, the compounding officer shall treat the case as closed as if no prosecution had been launched and will proceed in accordance with composition as under clause (a) and intimate the composition of offence to the competent Court in which the prosecution is pending and after receiving such intimation, the Court shall discharge the accused and close the prosecution.
- (5) The compounding officer shall exercise the powers to compound the offence under this rule, subject to the direction, control and supervision of the Jammu and Kashmir Government.

CHAPTER XIII

Miscellaneous

55. Protected workers under sub-section (3) and (4) of section 90. (1) Every registered Trade Union connected with an industrial establishment, to which the Code applies, shall communicate to the employer before the 30th April of every year, the names and addresses of such of the officers of the Union who are employed in that establishment and who, in the opinion of the Union should be recognised as protected workers.

Any change in the incumbency of any such officer shall be communicated to the employer by the union within fifteen days of such change.

(2) The employer shall, subject to sub-section (3) and sub-section (4) of section 90, recognise such workers to be protected workers for the purposes of section 90 and communicate to the Union, in writing, within fifteen days of the receipt of the names and addresses under sub-rule (1), the list of workers recognised as protected workers for the period of twelve months from the date of such communication.

(3) Where the total number of names received by the employer under sub-rule (1) exceeds the maximum number of protected workers, admissible for the industrial establishment, under sub-section (4) of section 90, the employer shall recognise as protected workers only such maximum number of worker :

Provided that where there is more than one registered Trade Union in the industrial establishment, the maximum number shall be so distributed by the employer among the Unions that the numbers of recognised protected workers in individual Unions bear practicably by the same proportion to one another as the membership figures of the Unions. The employer shall in that case intimate in writing to the President or the Secretary of the each concerned Union, the number of protected workers allotted to it :

Provided further that where the number of protected workers allotted to a Union under this sub-rule falls short of the number of officers of the Union seeking protection, the union shall be entitled to select the officers to be recognised as protected workers. Such selection shall be made by the Union and communicated to the employer within five days of the receipt of the employer's letter in this regard.

(4) When a dispute arises between an employer and any registered Trade Union in any matter connected with the recognition of protected workers under this rule, the dispute shall be referred to the Labour Commissioner, Jammu and Kashmir Government, Deputy Labour Commissioner/concerned Assistant Labour Commissioner having jurisdiction, whose decision thereon shall be final.

56. Manner of making complaint by an aggrieved worker under section 91.ô

- (i) Every complaint under section 91 of the Code shall be made electronically and registered post or speed post in (Form-XVI) and shall be accompanied by as many copies as there are opposite parties mentioned in the complaint.
- (ii) Every complaint under sub-rule (1) shall be verified by the worker making the complaint or by authorized representative of the worker proved to the satisfaction of the conciliation officer, arbitrator, Tribunal, to be acquainted with the facts of the case.

57. Manner of authorization of worker for representing in any proceeding under sub-section (1) of section 94.ô
Where the worker is not a member of any Trade Union, then,

any member of the executive or other office-bearer of any Trade Union connected with or by any other worker employed in the industry in which the worker is employed may be authorized by such worker to represent him in any proceeding under the Code relating to a dispute in which the worker is a party in (Form-VIII).

58. Manner of authorization of employer for representing in any proceeding under sub-section (2) of section 94. Where the employer, is not a member of any association of employers, may authorize in (Form-VIII) an officer of any association of employers connected with, or by any other employer engaged in, the industry in which the employer is engaged to represent him in any proceeding under the Code relating to a dispute in which the employer is a party.

59. Manner of holding an enquiry under sub-section (1) of section 85.—(1) Complaint.—On receipt of a complaint of the offence committed under sub-sections (3), (5), (7), (8), (9), (10), (11) and (20) of section 86 and sub-section (7) of section 89, the same shall be enquired by Deputy Labour Commissioner having jurisdiction of the area under sub-section (1) of section 85 (hereinafter referred to as the enquiry officer).

(2) **Issue of Notice.** If the complaint filed is admitted by the Enquiry officer, he shall call upon the person or persons through a notice to be sent electronically or in any form to appear before him on a specified date together with all relevant documents and witnesses, if any, and shall inform the complainant of the date so specified.

(3) If the person or his representative fails to appear on the specified date, the Enquiry Officer may proceed to hear and determine the complaint *ex parte*.

(4) If the complainant fails to appear on the specified date without any intimation to the Enquiry officer on two consecutive dates, the complaint may be dismissed :

Provided that not more than three adjournments may be given on the joint application made by complainant and the opposite party :

Provided further that the enquiry officers shall at his discretion permit hearing the parties or any of the party, as the case may be, through video conferencing.

(5) **Authorisation.**ô The authorisation to appear on behalf of any person, under sub-section (2) of section 85 shall be given by a certificate or electronic certificate, as the case may be, which shall be presented to the Enquiry Officer during the hearing of the complaint and shall form part of the record.

(6) **Permission to appear.**ô Any person who intends to appear in the proceeding on behalf of complainant shall present before the Enquiry Officer and submit a brief written statement explaining the reason for his appearance. The Enquiry officer shall record an order on the statement and in the case of refusal shall include reasons for the same, and incorporate it in the record.

(7) **Presentation of documents.**ô Complaint or other documents relevant to the complaint may be presented in person to the Enquiry Officer at any time during hours fixed by the Enquiry Officer, or may be sent to him electronically or by registered post or speed post.

(8) The Enquiry Officer shall endorse, or cause to be endorsed, on each document the date of the presentation or receipt, as the case may be. If the documents have been submitted electronically, no such endorsement shall be necessary.

(9) Refusal to entertain complaint.ô

- (i) The Enquiry Officer may refuse to entertain a complaint presented under sub-section (1) of section 85, if after giving the complainant an opportunity of being heard, the Enquiry Officer is satisfied, for reasons to be recorded in writing thatô
 - (a) the complainant is not entitled to present the complaint ; or
 - (b) the complainant is barred by limitation under the provisions of this Code ;
 - (c) the complainant fails to comply the directions given by the Enquiry Officer under sub-section (2) of section 85.ô
- (ii) The Enquiry Officer may refuse to entertain complaint which is otherwise incomplete. He may ask complainant to rectify the defects and if the Enquiry Officer thinks that the complaint cannot be rectified he may return the complaint indicating the defects and, if he, so refuses shall return it at once indicating

the defects. If the complaint is presented again, after the defects have been rectified, the date of representation shall be deemed to be the date of presentation for the purpose of sub-section (1) of section 85.

(10) **Record of proceedings.** The Enquiry Officer shall in all cases mention the particulars at the time of passing of order containing the details, i.e., date of complaint, name and address of the complainant, name and address of the opposite party or parties, section-wise details of the offence committed, plea of the opposite party, findings and brief statement of the reason and penalty imposed with signature, date and place.

(11) **Exercise of powers.** In exercise of the powers of a Civil Court, conferred under the Code of Civil Procedure, 1908, the Enquiry Officer shall be guided in respect of procedure by relevant orders of the First Schedule of the Code of Civil Procedure, 1908, with such alterations as the Enquiry Officer may find necessary, not affecting their substance, for adapting them to the matter before him, and save where they conflict with the express provisions of this Code or these rules.

(12) **Order or direction when to be made.** The Enquiry Officer, after the case has been heard, shall make the order or direction on a future date to be fixed for this purpose.

(13) **Inspection of documents.** Any person, who is either a complainant or an opposite party or his representative, or any person permitted under sub-rule (3) shall be entitled to inspect any complaint, or any other document filed with the Enquiry Officer be, in a case to which he is a party.

60. Submission of a copy each of the Form to the office of Director General, Labour Bureau under clause (zzf) of sub-section 2 of section 99. A copy each of Form VII (notice of strike), Form VIII (notice of lockout), Form IX (notice for intimation of retrenchment or closure to the Jammu and Kashmir Government), Form X (Application for permission of lay-off or retrenchment or closure), and Form XI (compounding of offences), shall be shared electronically with Director General, Labour Bureau in auto-mode.

FORM-I

(See Rule 2)

(Memorandum of settlement arrived at during conciliation/or settlement arrived at between the employer and his workers otherwise than in the course of conciliation proceeding) Names of Parties ;

í í í í í í í í í í í í .í í í í í .Representing employer(s) ;

í í í í í í í í í í í í .í í í í í .. Representing workers ;

Short recital of the case

í ..

Terms of settlement

í .

Signature of the partiesø Witnesses :

(1)

(2)

*Signature of Conciliation Officer

*In case the settlement arrived at between the employer and his workers otherwise than in the course of conciliation proceeding the copy of the memorandum shall be marked to the concerned Deputy Labour Commissioner.

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FORM-II

(See Rule 8, Rule 10 & Rule 24)

Annual Audit Report, Details of Assets and Liabilities and Annual Return to be furnished by the Trade Union for the year ending 31 December, 201 í ..

Name of the Union í í í í í í í í í í .

Registered Head Office í í í í í í í í .

Number of Certificate of Registration í í í í í í í í .

Return to be made by federation of Trade Union	Number of Unions affiliated at beginning of year. Number of Unions joining during year. Number of Union disaffiliated at the end of the year.
This return need not be made by federations of Trade Unions	Number of members on books at the beginning of year. Number of members admitted during the year add together. Number of members who left during the year (deduct). Total number of members on books at the end of the year. Males. Females. Number of members contributing to political fund.

A copy of the Rules of the Trade Union corrected up to the date of despatch of this return is appended.

Dated:

Secretary

Statement of liabilities and the details of assets on the day of í ..201 í í .

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Liabilities	Rs.	P.	Assets	Rs.	P.
Amount of general fund	Cash				
Amount of seperate fund.			In hands of Treasurer		
Loans. from			In hands of Secretary		
Debts due to			In the Bank.		
To be specified other liabilities			Securities as per list below unpaid subscription due in the Bank Loans to Immoveable property goods and furniture. Other assets (to be specified.)		
Total Liabilities			Total assets		

LIST OF SECURITIES

Particulars	Nominal value	Market value at date on which in hands of accounts have been made up

Treasurer.

GENERAL FUND ACCOUNT

Income	Rs. P.	Expenditure	Rs. P.
Balance at beginning year of		Salaries, allowances and expenses of officers.	
Contributions from members @ per member. Donations		Salaries, allowances and expenses of establishment. Auditors' fees	
Sale of Periodicals, rules, etc.		Legal expenses. Expenses in conducting trade disputes.	
Interest on investment, Income from miscellaneous sources (to be specified).		Compensation paid to members for loss arising out of trade disputes. Funeral, old age, sickness, unemployment benefits, etc. Educational, social and religious benefits. Cost of publishing periodicals, Rent, Rates and Taxes Stationery Printing and postage.	
		Expenses incurred under rule 18 (to be specified).	
		Other expenses (to be specified).	
		Balance at the end of year.	
		Total	

SEPERATE FUND ACCOUNT

Income	Rs. P.	Expenditure	Rs. P.
Balance at beginning of year. Contribution from members @ per memberí í í		Payments made on object specified in rule 19 (to be specified). Expenses of management (to be specified). Balance at the end of year	
Totalí í í í	Totalí í í í í í í ..		

Treasurerí í í í í í í í .

AUDITOR'S DECLARATION

The undersigned, having had access to all the books and accounts to the Trade Union and having examined the foregoing statements and verified the same are found to be correct duly vouchered and in accordance with the law, subject to the remarks if any, appended hereto.

Auditor's Sign. with seal.

The following changes of officers have been made during the yearí í í í í í í í .

OFFICER RELINQUISHING OFFICE.

Name	Office	Date of relinquishing Office
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OFFICER APPOINTED

Name	Age	Office	Address	Occupation	Date of Appointment
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FORM-III

(See Rule 9)

APPLICATION FOR REGISTRATION OF TRADE UNION

Dated the _____ day of 20_____

1. We hereby apply for the registration of a Trade Union under the name of _____.
2. The address of the head office of the Union is_____
3. The Union came into existence on the __day of _____
4. The Union is a union of employers/workers engaged in the industry or profession.
5. The particulars of the office bearers of the Trade Union as per Schedule-I.
6. The particulars given in schedule show the provision made in the rules for the names detailed in section 7 of the Code.
7. To be struck out in the case of Unions which have not been in existence for one year before the date of application. The particulars required by section 8(2) of Code are given in schedule-III.
8. We have been duly authorized to made this application.

Name	Signature	Occupation	Address	Contact/email.id
	Signed-I			
	2.			
	3.			
	4.			
	5.			
	6.			
	7.			

To the Registrar of Trade Unions, Schedule 1 - List of Officers

Title	Name	Age	Address	Occupation

Note: Enter in this Schedule the names of all members of the executive of the Union showing in column I the name of any posts held by them (e.g. President, Secretary, Treasurer, etc.) in addition to their officer as members of the executive.

Schedule II—Reference to Rules.

The members of the rules making provision for the several matters detailed in column I are given in column 2 below :

Matter	No. of rules
--------	--------------

Name of Union.

The whole of the objects for which the Union has been established.

The whole of the purposes for which the general funds of the Union shall be applicable.

The maintenance of a list of members.

The facilities provided for the inspection of the list of members by officers and members.

The admission of ordinary members.

The admission of honorary or temporary members.

The conditions under which members are entitled to benefits assured by the rules.

The conditions under which fines or forfeiture can be imposed or varied or rescinded.

The manner in which the rules shall be amended, varied or rescinded.

The manner in which the members of the executive and the other officers of the union shall be appointed and removed.

Safe custody of funds.

The annual audit of the accounts,.

The facilities for the inspection of the account books by officers and members.

The manner in which the Union may be dissolved.

Schent III-Statement of Liabilities and assets on the Day of_____

(This need not be filed in if the Union came into existence less than one year before the date of application for registration).

Liabilities	Rs.	P.	Assets	Rs.	P.
Amount of general funds	Cash		In hands of Treasurer		
Amount of political fund.			In hands of Secretary		
Loans from other liabilities to be specified			In hands of. In the Bank. In the Bank of Securities as per list below unpaid subscription dues. Loans to Immoveable property, goods, and furniture. (Other assets to be specified.		
Total Liabilities			Total Assets.		

LIST OF SECURITIES

Particulars	Nominal	Market Value	In hands
Signed 1.			
2.			
3.			
4.			
5.			
6.			
7.			

FORM-IV

(See Rule 11)

Serial No:

Name of Union:

Address of Head Office:

Date of Registration:

No. of application form

List of members applied for registration	Year of entering in office	Name	Age of entry	Address/ Occupation	Year of relinquishing office	Other offices held in addition to membership of executive with date
1.						
2.						
3.						
4.						
5.						
6.						
7.						

Registrar

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FORM-V
(See Rule 12)

Reg. No. í í í í í í

Dated í í í í í í ..

It is certified that í í í í í í í í Head Office í í í í í í í í
has been registered under the Provisions of Industrial Relations Code,
2020 on í í í í í í í í ...

Given under my seal and signature

Registrar of Trade Unions

FORM-VI
(See Rule 35)

(Notice of change of service conditions proposed by an employer)

Name of employer.....

Address.....

Dated the..... day of 20.....

In accordance with section 40(1) of Industrial Relation code, I/We hereby give notice to all concerned that it is my/our intention to effect the change/changes specified in the annexure, with effect from in the conditions of service applicable to workers in respect of the matters specified in the Third Schedule to this code.

Signature.....

Designation.....

ANNEXURE

(Here specify the change/changes intended to be effected)

Copy forwarded to :

1. Labour Commissioner, Jammu and Kashmir.
2. Concerned Deputy Labour commissioner/Assistant Labour Commissioner.
3. Secretary of Registered Trade Union, if any.

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FORM-VII

(Agreement for voluntary arbitration)

(See Rule 36)

BETWEEN

í í í í í í Name of the parties representing employer(s)

And

í í í í í í .Representing worker

It is hereby agreed between the parties to refer the following dispute to the arbitration of [here specify the name(s) and address(es) of the arbitrator(s)].

- (i) Specific matters in dispute.
- (ii) Details of the parties to the dispute including the name and address of the establishment or undertaking involved.
- (iii) Name of the worker in case he himself is involved in the dispute or the name of the union, if any, representing the worker or workers in question.
- (iv) Total number of workers employed in the undertaking affected.
- (v) Estimated number of workers affected or likely to be affected by the dispute.

*We further agree that the majority decision of the arbitrators) shall be binding on us in case the arbitrator(s) are equally divided in their opinion they shall appoint another person as umpire whose award shall be binding on us.

The arbitrator(s) shall make his (their) award within a period of..... (here specify the period agreed upon by the parties) from the date of publication of this agreement in the Official Gazette by the Jammu and Kashmir Government or within such further time as is extended by mutual agreement between us in writing. In case, the award is not made within the period afore mentioned, the reference to the

arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitrator.

Signature of the parties Representing employer/Representing worker/workers.

Witnesses

1.
2.

Copy to :

- (i) The Administrative Secretary, Labour and Employment Department, Jammu and Kashmir.
- (ii) The Labour Commissioner, Jammu and Kashmir.
- (iii) The Concerned Deputy Labour Commissioner.
- (iv) The Conciliation Officer [here enter office address of the Conciliation Officer for the area concerned.]

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FORM-VIII

(See Rule 38, Rule 57 and Rule 58)

(Authorization by a worker, group of worker, employer, group of employer to be represented in a proceeding before the authority under this Code). Before the Authority

(Here mention the authority concerned)

In the matter of : (mention the name of the proceeding)

.....workers

Versus í í í íEmployer

I/we hereby authorise Shri / Sarvashri (if representatives are more than one) 1.....2.....3..... to represent me/us in the above matter.

Dated this.....day of.....20.....

Signature of person(s) nominating the representative(s)

Address Accepted

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FORM-IX

(See Rule 39)

**Form of Oath of Office for Judicial Member or Administrative
Member of Industrial Tribunal**

I, A, B., having been appointed as Judicial Member/Administrative Member (whichever is applicable) of Industrial Tribunal (Name of the Tribunal) do solemnly affirm/do swear in the name of God that I will faithfully and conscientiously discharge my duties as the Judicial Member/Administrative Member of Industrial Tribunal (Name of the Tribunal) to the best of my ability, knowledge and judgment, without fear or favour, affection or ill-will and that I will uphold the Constitution and the laws of the land.

(Signature)

Date :

Place :

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FORM-X

(See Rule 40)

Application to be submitted before the Tribunal in the matter not
settled by the Conciliation Officer)

Before í í í í í (here mention the name of the Tribunal having
jurisdiction over the area)

In the matter of:

..... Applicant

Address.....

Versus

..... Opposite party(ies)

Address.....

The above mentioned applicant begs to state as follows :ô (Here
set out the relevant facts and circumstances of the case).

The applicant prays that the instant dispute may please be admitted
for adjudication and request to pass appropriate Award.

Date í

Place

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FORM-XI

(See Rule 41)

(Notice of Strike to be given by Union (Name of Union)/ Group of Workers)

Name of five elected representatives of workers í í í í í í í

Dated the.....day of.....20.....

To

(The name of the employer).

Dear Sir/Sirs,

In accordance with the provisions contained in sub-section (1) of section 62 of the Industrial Relation code, I/We hereby give you notice that I propose to call a strike/we propose to go on strike on í í í ..20í .., for the reasons explained in the annexure.

Yours faithfully,

(Secretary of the Union)

Five representatives of the workers duly elected at a meeting held on (date), vide resolution attached.]

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ANNEXURE

Statement of the Case.

Copy to ;

- (1) The Administrative Secretary, Labour & Employment Department, Jammu and Kashmir Government.
- (2) The Labour Commissioner, Jammu and Kashmir.
- (3) The Concerned Deputy Labour Commissioner.
- (4) The Conciliation Officer [here enter office address of the Conciliation Officer for the area concerned.]

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FORM-XII

(See Rule 42)

(Notice of Lock-out to be given by an employer of an industrial establishment)

Name of employer

Address.....

Dated the.....day of.....20.....

In accordance with the provisions of 62(6) of this code, I/we hereby give notice to all concerned that it is my/our intention to effect lock out in.....department(s), section(s) of my/our establishment with effect from.....for the reasons explained in the annexure.

Signature.....

Designation.....

ANNEXURE

1.	Statement of reasons
----	----------------------

Copy to:

- (i) The Administrative Secretary, Labour & Employment Department, Jammu and Kashmir.
- (ii) The Labour Commissioner, Jammu and Kashmir.
- (iii) The Concerned Deputy Labour Commissioner.
- (iv) The Conciliation Officer [here enter office address of the Conciliation Officer for the area concerned.]
- (v) The Secretary of the Registered Trade Union, if any.

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FORM- XIII

(See Rule 43 and Rule 45)

(Notice of Intimation of Retrenchment/Closure to be given by an employer to the Jammu and Kashmir Government under the provisions of Chapter IX of the Industrial Relations Code, 2020 and rules made thereunder)

(To be submitted online. In case of exigencies, on paper in the prescribed format below) Name of Industrial Establishment/Undertaking/
Employer.....

Labour Identification Number.....

Dated..... (Note: The intimation for Closure/Retrenchment to the appropriate government shall be served 60 days and 30 days before commencement of Closure/Retrenchment respectively)

To

The Secretary Labour and Employment,

Government of Jammu and Kashmir.

(Retrenchment) (a) Under Section 70(C) of this Code, I/we hereby intimate you that I*/we* have decided to retrench..... workers** out of a total of í í . Workers** with effect from..... (DD/MM/YYYY)

or

(Closure) (b) Under Section 74(1) of this Code, I/we hereby intimate you that I*/we* have decided to close down.....(name of the industrial establishment or undertaking) with effect from..... (DD/MM/YYYY). The number of workers whose services would be terminated on account of the closure of the undertaking is..... (number of workers)

1. The reason for Retrenchment/Closure is

í í í í í í í í í í í í í
í í í í í í íí í í í í í í
í í í í ..í í í í í í í í í í í í í í í í í

2. * The worker(s)* concerned were given on the.....
(DD/MM/YYYY) one month's notice in writing as required
under section 70(a)*/ section 75(1)* of this Code.

or

* The worker(s) concerned have been given on theí í í .
(DD/MM/YYYY) one month's pay in lieu of the notice as
required under section 70(a)*/ section 75(1)* of this Code.

4. * I*/We* hereby declare that the worker(s) concerned have
been*/will be* paid all their dues along with the compensation
due to them under section 70*/section 75* of this Code before
or on the expiry of the notice period.

or

I/We hereby state that currently Insolvency proceedings are
on in respect of the said Industrial Establishment/Undertaking/
Employer, and that I*/we* will pay all the dues along with the
compensation due to them under concerned laws.

5. (Retrenchment) I/we* hereby declare that the worker(s)
concerned have been*/will be* retrenched in compliance to
the Section 71 and section 72 of this Code.
6. I*/ we* hereby declare that no court case is pending before
any Court in the matter, and if yes, the details thereof have
been Annexed.
7. I*/ we* hereby declare that the above information given by
me*/us* in this notice and the Annexures is true. I*/we* am*/
are* solely responsible for its accuracy and no facts/materials
has been suppressed in the matter.

Yours faithfully,

(Name of Employer/***Authorized
Representative with Seal)
(*Strike off which is not applicable.)

(** Indicate number in figures and words both)

(***Copy of Authorization letter issued by the employer shall be enclosed)

Copy to:

- (i) The Labour Commissioner, Jammu and Kashmir.
- (ii) The Concerned Deputy Labour Commissioner.
- (iii) The Conciliation Officer [here enter office address of the Conciliation Officer for the area concerned.]
- (iv) The Registered Unions/Authorized Representatives of Workers operating in the establishments or undertakings.

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FORM-XIV

[See Rule 46, Rule 47, Rule 49 and Rule 51]

[Application for permission of Lay-off/ Continuation of Lay-off/ Retrenchment/ Closure to be given by an employer/ Industrial establishment /Undertaking to the Jammu and Kashmir Government under the provisions of Chapter X of the Industrial Relations Code, 2020 and rules made thereunder]

(To be submitted online. In case of exigencies on paper in the prescribed format below) Name of Industrial Establishment or Undertaking or Employer.....

Labour Identification Number.....

Dated.....

(Note: The application to the Jammu and Kashmir Government shall be served as indicated below:

Lay-off at least 15 days before the intended Lay-off

Continuation of Lay-off at least 15 days before the expiry of earlier Lay-off

Retrenchment-at least 60 days before the intended date of Retrenchment

Closure-at least 90 days before the intended date of Closure)

To,

The Secretary to Labour & Employment Department
Government of Jammu and Kashmir,

1. *(Lay-off) (a). Under section 78(2) of the Industrial Relations Code, 2020, I*/we* hereby apply for permission to lay-off í í í .workers** out of total of í í .. workers** employed in my*/our* establishment (details to be given in Annex-I) with effect from í í í .. (DD/MM/YYYY).

or

(Continuation of lay-off) (b) Under section 78(3) of the Industrial Relations Code, 2020, I/we* hereby apply for permission to continue the

Lay-offworkers** out of total of í í .. laid off workers** in my*/our* establishment (details to be given in Annex-I) with effect from í í í .. (DD/MM/YYYY).

or

(Retrenchment) (c) Under section 79(2) of the Industrial Relations Code, 2020, I/we* hereby apply for permission for intended retrenchment of..... workers out of total of í í .. workers** employed in my*/our* establishment (details to be given in Annex-I) with effect from í í í .. (DD/MM/YYYY).

or

(Closure) (d) Under section 80(1) of the Industrial Relations Code, 2020, I / we hereby inform you that I*/we* intended to close down the undertaking..... (name of the industrial establishment or undertaking or employer) (details to be given in Annex-1) with effect from..... (DD/MM/YYYY). The number of workers whose services would be terminated on account of the closure of the undertaking is..... (number of workers)

2. * (Lay-off/Continuation of Lay-off) The worker(s) concerned were given on (DD/MM/YYYY) notice in writing as required under section 78(2)*/section 78(3)* of this Code.

or

(Retrenchment/Closure) The worker(s) concerned were given oní í ... (DD/MM/YYYY) one month's notice in writing as required under section 79/ section 80* of this Code.

or

(Retrenchment/ Closure) The worker(s) have been given oní í ... (DD/MM/YYYY) one month's pay in lieu of notice as required under section 79/section 80* of this Code.

3. The details of affected worker(s) is at Annexure II.

4. (Retrenchment) I*/we* hereby declare that the workers concerned will be retrenched in compliance to the Section 71 and section 72 of this Code.

5. *I/We* hereby declare that the worker(s) concerned have been*/will be* paid all the dues and compensation due to them under

section 67, read with section 78(10)*section 79*/section 80* of this Code before or on the expiry of the notice period.

or

I/We hereby state that currently Insolvency proceedings are on in respect of the said Industrial Establishment/Undertaking/Employer, and that I/we* will pay all the dues along with the compensation due to them under concerned laws.

6. I/we* hereby declare that no court case is pending before any Court in the matter, and if yes, the details thereof have been Annexed.

7. I/we hereby declare that the above information given by me/ us* in this notice and enclosures is/ are* true, I/we am/are solely responsible for its accuracy and no facts/materials has been suppressed in the matter.

The permission sought for may please be granted.

Yours faithfully,

(Name of Employer/ ***Authorised Representative with Seal)

(*Strike off which is not applicable.)

(** Indicate number in figures and word both)

(***Copy of Authorization letter issued by the employer shall be enclosed)

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ANNEXURE-I

(Please give replies against each item)

1	Name of the undertaking with complete postal address, email, mobile and land line.	
2.	<p>Status of undertaking</p> <p>(i) Whether Jammu and Kashmir public sector/State public sector/etc,</p> <p>(ii) Whether a private limited company/partnership firm/partnership firm</p> <p>(iii) Whether the undertaking is Licensed/registered and if so, name of licensing/registration authority and licence/registration certificate numbers.</p>	
3	<p>(a) MCA Number</p> <p>(b) GSTN Number</p>	
4	<p>(i) Annual production, item wise for preceding three years</p> <p>(ii) Production figures, month-wise, for the preceding twelve months,</p>	
5	Audit report of establishment/undertaking including Balance sheets, profit and loss accounts for the last three years.	To be annexed
6	Names of the inter-connected companies or under the companies same management.	
7	Details of lay-off/ Retrenchment resorted to in the last three years including the periods of such lay-offs/Retrenchment the number of workmen involved in each such lay-off/ Retrenchment/continuation of lay off.	
8	Any other relevant details which have bearing on lay-off/ continuation of retrenchment/ closure.	

ANNEXURE II

(Details of affected workers)

S. No	UAN/ CMPFO	Name of theWorker	Category (Highly Skilled/ Semi- skilled/ Unskilled)	Date from which in service in/ with the said Establishment/ Undertaking/ Employer	Wage as on date of Application	Remark
1						
2						
3						

FORM-XV

(See Rule 54)

Notice to the Employer who committed an offence for the first time under this code, for compounding of offence under sub-section (4) of section 89,

The undersigned and the Compounding Officer under sub-section 1 of section 89 of the Industrial Relation Code, 2020 hereby intimates that the allegation has been made against you for committing offence for the violation of various provision of this Code as per the details given below;—

PART-I

1. Name and Address of the offender Employer- í í í í í í
2. Address of the Establishment í í í í í .í í í í í í í í
3. Particulars of the offence í í í í í í í í í í í í í í í í
4. Section of the Code under which the offence is committed
í í í í í
5. Compounding amount required to be paid towards composition of
the offence í í í í í í í í í í í í í í í í í í í

PART - II

You are advised to deposit the above mentioned amount within fifteen days from the date of issue of this notice for compounding the offence as per section 89 (1) of the Industrial Relation Code, 2020, alongwith an application duly filled in part - III of this notice.

In case you fail to deposit the said amount within the specified time, no further opportunity shall be given and necessary direction for filing of prosecution under section ----- shall be issued.

(Signature of the Compounding Officer)

Date :

Place :

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PART-III

Application under sub-section (4) of section 89 for compounding of offence

1. Name of applicant (name of the employer who committed the offence under the Industrial Relation Code 2020 to be mentioned) í í í
2. Address of the applicant í í í í í .í í í í í í í í í í
3. Particulars of the offence
íí í í í í í í í íí
.....
4. Section of the Code under which the offence has been committed
í ..
5. Details of the compounding amount deposited (electronically generated receipt to be attached)í í í í í í í í í í
6. Details of the prosecution, if filed for the violation of above mentioned offences may be given
í í í í í í í í í í í í í í í í ..
7. Whether the offence is first offence or the applicant had committed any other offence prior to this offence, if committed, then, full details of the offence
í í í í
í ..
8. Any other information which the applicant desires to provide
í í í í í í í í í í í í í í í
í
í

Applicant

(Name and signature)

Dated:

Place:

FORM-XVI

(See Rule 56)

(Complaint under Section 91 of the Industrial Relation Code, 2020)

Before the Conciliation officer/ Arbitrator/ Tribunal -----,

In the matter of :..... Reference No. í í í í í í í í í í

A..... Complainant(s) ;

Versus

B..... Opposite Party(ies).

Address:

The petitioner(s) begs/beg to complain that the Opposite Party(ies) has/have been guilty of a contravention of the provisions of section 90 of the Industrial Relation code, as shown below :

(Here set out briefly the particulars showing the manner in which the alleged contravention has taken place and the grounds on which the order or act of the management is challenged.)

The complainant(s) accordingly prays/pray that the Conciliation Officer/Arbitrator/Industrial Tribunal or National Tribunal may be pleased to decide the complaint set out above and pass such order or orders thereon as it may deem fit and proper.

The number of copies of the complaint and its annexure required under rule 91 of the Industrial Relation Code are submitted herewith.

Dated this.....day of.....20..... Signature of the Complainant(s)

Verification

I do solemnly declare that what is stated in paragraph..... above is true to my knowledge and that what is stated in paragraphs..... above is stated upon information received and believed by me to be true. This verification is signed by me at..... onday of.....20.....

Signature or Thumb impression of the person verifying.



Vol. 132] Jammu, Thu., the 5th Dec., 1919/14th Agra., 1941. [No. 36-3

Separate paging is given to this part in order that it may be filed as a
separate compilation.

Laws, Regulations and Rules passed thereunder.

ô ô ô ó

THE CHIT FUNDS (AMENDMENT) ACT, 2019

(No. 41 of 2019)

[5th December, 2019.]

An Act further to amend the Chit Funds Act, 1982.

Be it enacted by Parliament in the Seventieth Year of the Republic of India as follows :ô

1. *Short title and commencement.*—(1) This Act may be called the Chit Funds (Amendment) Act, 2019.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

- (ja) ògross chit amountö means the sum-total of the subscriptions payable by all the subscribers for any instalment of a chit without any deduction of discount or otherwise ;

(jb) ñet chit amountö means the difference between the gross chit amount and the discount, and in the case of a fraction of a ticket means the difference between the gross chit amount and the discount proportionate to the fraction of the ticket, and when the net chit amount is payable otherwise than in cash, the value of the net chit amount shall be the value at the time when it becomes payable ;ç

- (v) clause (m) shall be omitted ;
- (vi) after clause (p), the following clause shall be inserted,
namely :ô

“(pa) ðshare of discountö means the share of the subscriber in the amount of discount available under the chit agreement for rateable distribution among the subscribers at each instalment of the chit;ø

(i) for the words òchit amountö, the words ògross chit amountö shall be substituted ;

- (ii) for the word ðividendö, the words ðshare of discountö shall be substituted ; and
- (iii) for the words ðprize amountö, the words ðnet chit amountö shall be substituted.

4. *Substitution of new section for section 11.*—For section 11 of the principal Act, the following section shall be substituted, namely: :ô

811. *Use of words “chit”, “chit fund”, “chitty”, “kuri”, “fraternity fund” or “Rotating Savings and Credit Institution”.*—(1) No person shall carry on chit business unless he uses as part of his name any of the words ōchitō, ōchit fundō, ōchittyō, ōkuriō, ōfraternity fundō or ōRotating Savings and Credit Institutionō and no person other than a person carrying on chit business shall use as part of his name any such word.

(2) Where at the commencement of this Act,ô

- (a) any person is carrying on chit business without using as part of his name any of the words specified in sub-section (1); or
- (b) any person not carrying on chit business is using any such word as part of his name, he shall, within a period of one year from such commencement, add as part of his name any such word or, as the case may be, delete such word from his name:

Provided that the State Government may, if it considers necessary in the public interest or for avoiding any hardship, extend the said period of one year by such further period or periods not exceeding one year in the aggregate.ö

5. *Amendment of section 13.*—In section 13 of the principal Act,ô

- (i) in sub-section (1), for the words **ör**rupees one lakhö, the words **ör**rupees three lakhsö shall be substituted;
- (ii) in sub-section (2),
 - (a) in clause (a), for the words **ör**rupees six lakhsö, the words **ör**rupees eighteen lakhsö shall be substituted ;

6. *Amendment of section 16.*—In section 16 of the principal Act, in sub-section (2), after the words *ötwo subscribersö*, the words *öpresent in person or through video conferencing duly recorded by the foremanö* shall be inserted.

7. *Amendment of section 17.*—In section 17 of the principal Act, in sub-section (1),ô

(a) after the words "at least two other subscribers who are present", the words "in person or through video conferencing" shall be inserted ;

(b) the following proviso shall be inserted, namely :&

o Provided that where two subscribers required to be present under sub-section (2) of section 16 are present through video conferencing, the foreman shall have the minutes of the proceedings signed by such subscribers within a period of two days of the date of the draw.ö.

8. *Amendment of section 21.*—In section 21 of the principal Act, in sub-section (1),ô

(i) in clause (b), for the words "five per cent.", the words "seven per cent." shall be substituted ;

(ii) in clause (f), the word òandö shall be omitted ;

(iii) after clause (f), the following clause shall be inserted, namely

ō(fa) to exercise his right to lien against the credit balance in other non-prized chits; andō.

9. *Amendment of section 85.*—In section 85 of the principal Act, in clause (b), for the words “one hundred rupees”, the words “such amount as may be specified, by notification in the Official Gazette, by the State Government” shall be substituted.